Proceedings

OF THE

BENGAL LEGISLATIVE COUNCIL.

Published by authority of the Council.

CALCUTTA:
BENGAL SECRETARIAT PRESS.

PAGE.

BENGAL HOME INDUSTRIES ASSOCIATION—
See Questions.

BENGAL LEGISLATIVE COUNCIL, RESOLUTIONS CARRIED IN THE—
See Questions.

BHAGIRATHI—
See Questions.

BHAGIRATHI, POLLUTION OF THE—
See Resolutions

BHAIRAB—
See Questions.

BRAHMANI BULLS 39

BILL—

Bengal Food Adulteration, 1919.
Referred to a Select Committee 146
Report of Select Committee presented 518
Clauses of Bill considered 981
Bill passed 992

Bengal Primary Education, 1919.
Report of Select Committee presented 34
Amendments proposed and adopted 148, 149, 169, 182, 185, 538, 539, 549, 550
Ditto ditto and negatived 149, 150, 151, 157, 159, 170, 181, 183, 186, 187, 188, 189, 191, 192, 193, 195, 198, 204, 520, 525, 526, 537, 542, 546, 548
Amendments withdrawn 150, 157, 160, 170, 188, 192, 208, 209, 526, 538, 539, 540, 546, 548, 551
Bill passed 552

Bengal Tenancy (Amendment)—, 1918.
Report of Select Committee considered 28
Bill passed 30

Bengal Village Self-Government, 1919.
Report of Select Committee presented 30
Ditto ditto considered 127
Republication of the Bill, as amended by Select Committee, with the report of Select Committee proposed 127
Recommitted to Select Committee 134
Further report of Select Committee presented ... 315
Amendments proposed and adopted 693, 697, 764, 775, 783, 792, 826, 828, 849, 863, 866, 876, 885, 889, 899, 907

PAGE.

BILL—*concld.*

Amendments proposed and negatived 686, 687, 690, 693, 695, 698, 699, 702, 703, 705, 711, 712, 715, 717, 722, 723, 724, 725, 728, 730, 731, 732, 733, 742, 748, 749, 753, 754, 755, 759, 763, 766, 771, 774, 777, 780, 790, 793, 794, 803, 808, 810, 814, 816, 831, 832, 833, 838, 843, 846, 847, 848, 851, 852, 860, 864, 869, 873, 874, 877, 880, 883, 886, 889, 892, 893, 899, 902, 903

Amendments withdrawn 691, 692, 693, 694, 695, 701, 703, 711, 721, 723, 724, 725, 726, 727, 729, 747, 748, 749, 750, 753, 764, 768, 777, 779, 782, 783, 784, 785, 786, 787, 791, 792, 794, 800, 801, 803, 807, 809, 810, 815, 822, 823, 828, 830, 845, 846, 848, 849, 850, 862, 865, 876, 879, 882, 884, 885, 891, 895, 897, 898, 899, 905, 906, 907

Bill passed 907

Calcutta cruelty to Animals, 1919.

Leave to introduce 1129

Referred to a Select Committee 1327

Report of Select Committee presented 1411

Calcutta Municipal, 1917.

Withdrawn 975-981

Calcutta and Suburban Police (Amendment), 1919.

Leave to introduce 992

Referred to a Select Committee 994

Report of Select Committee presented and considered 1239

Eastern Frontier Rifles (Bengal Battalion), 1919.

Introduced 1328

Referred to a Select Committee 1412

BOY SCOUT MOVEMENT—

See Questions.

BURMA RICE—

See Questions.

BURDWAN—

See Resolutions.

BURDWAN, HON'BLE SIR BIJAY CHAND MAHTAB, MAHARAJADHIRAJA BAHADUR OF—

introduced certain heads into the—

Amended Draft Financial Statement 289

C

CALCUTTA COMMERCIAL INSTITUTE—

See Questions.

CALCUTTA MEDICAL COLLEGE—

See Questions.

CALCUTTA POLICE—

See Questions.

CALCUTTA SMALL CAUSE COURT—

See Questions.

PAGE.

CARTER, HON'BLE SIR FRANK—

moved resolution *re*—

leprosy in Calcutta 1002

spoke on—

Eden, death of the late Mr.— 3

withdrew his resolution *re*—

leprosy in Calcutta 1010

CATTLE CENSUS—

See Questions.

CESS REVALUATION PROCEEDINGS—

See Questions.

CHAIRMEN OF DISTRICT BOARDS—

See Questions.

CHARKAS—

See Questions.

CHAUDHURI, HON'BLE BABU KISHORI MOHAN—

asked questions *re*—

Akshaya Kumar Ganguli, the case of Excise Officer Babu— 576

cloth, price of— .. ..✓ 1277

cloths, rise in the prices of— ... .✓ 1206

cloth-shops, etc., opening of co-operative— ... 1277

East Bengal, the cyclone in— 1276

Educational Service, improvement of the— ... 919

jute market ... ...✓1277

Khas Mahal staff of Maniaguri, revision of pay of the— 1204

Kishoreganj district, site of headquarters of the proposed— 1205

Lower Subordinate Educational Service, improvement of pay of the— 1204

Pabna, danger to the southern part of—by erosion of the Ganges 1203

Presidency, Dacca and Rajshahi Colleges, certain statistics in regard to— 1310

Principals and Circle Inspectors of Colleges, method of filling up the posts of— 1085

Provincial Educational Service, University careers of certain officers of the— 920

Provincial Judicial Service, particulars as to certain officers of the— 593

Provincial Judicial Service, appointments in the— ... 593

Rai Kumudini Kanta Banerji Bahadur, house allowance of— 921

Rai Kumudini Kanta Banerji Bahadur, supersession of— 922

Rajshahi College, librarian of the— 1274

Rajshahi College, status of the—under the principalship of Rai Kumudini Kanta Banerji Bahadur ... 921

PAGE.

CHAUDHURI, HON'BLE BABU KISHORI MOHAN—*contd.*

asked questions *re*—

Rajshahi College, want of a gymnastic and games teacher in the 1275

Rajshahi College, status of Teacher of Economics in the— 1276

Rajshahi district, appointment of an inhabitant of the—to the judicial service 1374

rice, sale of—in the districts 1206

Subordinate Educational Service, promotion of officers of the— 9

Subordinate and Lower Subordinate Educational Service, revision of the pay and prospects of the— 1205

Sub-Inspector of Police, compensation for alleged malicious prosecution by a—of Dinajpur ... 575

teachers in secondary and primary schools, pay and prospects of— 9

moved resolutions *re*—

cows in Bengal, improvement of— 38

district administration 48

Government Colleges, improvement and development of—by means of increase in fee receipts and savings 426

lecturers of first grade colleges, improvement of salary of the— 475

medical schools, provision for additional—in Calcutta or suitable mufassal districts 430

model dairies, starting of— 447

primary education, provision for the spread of— ... 420

Principals of Colleges in Bengal, a conference of the —to consider the recommendations of the Calcutta University Commission 1367

Public Services Commission, recommendations of the—discussion of the— 220

Rajshahi College, improving the professorial staff of the—, and opening M. A. and B. L. classes in the— 1359

spoke to resolutions *re*—

appointment of Sinha, Sir S. P. 37

Final Licentiate Examination of the State Medical Faculty (November 1919), permission to appear at the— 1073

food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1043

Government Colleges, accommodation of successful students in— 1247

Malda, establishment of a Sub-Judge's Court at— ... 568

Subordinate Civil (Executive) Service 1060

withdrew resolutions *re*—

district administration 54

Government Colleges, improvement and development of—by means of increase in fee receipts and savings 430

medical schools, provision for additional—in Calcutta or suitable mufassal districts ... 435

model dairies, starting of— 448

PAGE

CHAUDHURI, HON'BLE BABU KISHORI MOHAN—*concld.*

withdrew resolutions *re*—

Principals of Colleges in Bengal, a conference of the—to consider the recommendations of the Calcutta University Commission 1369

Rajshahi College, improving professorial staff of the—and opening M.A. and B. L classes in the— ... 1366

CHILD WELFARE—

See Questions.

CHITTAGONG AND MIDNAPUR BRINE—

See Questions.

CLOTH—

See Questions; Resolutions.

COMILLA—

See Questions.

CO-OPERATIVE SOCIETIES—

See Questions.

COTTON CULTIVATION—

See Questions.

COURT LANGUAGE, POSSIBILITY OF ENGLISH BEING THE— 501

COWS IN BENGAL, DETERIORATION OF—

See Resolutions.

CRUM, HON'BLE MR. W. E.—

asked questions *re*—

beggars, treatment of—in Calcutta 272

District Charitable Society, grant of land by Government to the—for alms-houses 272

spoke to resolution *re*—

cloth and food-stuffs, high price of—, taking of steps in connection with the— 252

D

DACCA DIVISION—

See Questions.

DACCA SCHOOL OF ENGINEERING—

See Questions.

DACOITIES—

See Questions.

DAMODAR—

See Questions.

DARJEELING-HIMALAYAN RAILWAY—

See Questions.

PAGE.

DATE "GUR" AND SUGARCANE INVESTIGATIONS—
See Questions.

DATTA, HON'BLE BABU AKHIL CHANDRA—
asked questions *re*—
acquisition of land, names of individual companies to whom facilities have been given for the— ... 1406
Additional District Judges, hearing of appeals by— 1403
anti-malarial works 1303
armed inspectors, grant of a special allowance to— ... 513
Assistant Superintendent of Police, vacancies in the rank of— 660
Assistant Surgeons, initial pay of— 1305
Babu Sarat Chandra Chakravarti, issue of a gun license to— 1292
Bankura, raising of a fund in— for the reception of His Excellency the Governor 116
Bankura district, apprehended famine in the— ... 116
Bengal Village Self-Government Act (1919), introduction of the—in the province 1402
Boy Scout movement 1304
Calcutta disturbances, action of military in recent—... 942
chaukidar, suspension of a— 1119
chaukidar, case of a— 1236
Comilla, the climate of— 1126
Comilla, the hospital at— 1294
compounders, improvement of the pay and prospects of the—in Government hospitals 1417
co-operative societies with industrial objects, development of— 1410
cotton, cultivation of— 1296
cyclone sufferers, relief measures to the— ... 1403
Dacca School of Engineering, improvement in the— 1404
Deputy Superintendent of Police, particulars as to the cadre of—in Bengal 650
Deputy Superintendent of Police, history of service of each European and Anglo-Indian— 650
Deputy Superintendents of Police, educational qualifications of certain— 651
Deputy Superintendents of Police, and Indians, posts of— 652
Deputy Superintendents of Police, vacancies in the rank of— 660
détenu, alleged refusal to grant leave to a— ... 1399
dispensaries, number of—maintained by district boards 1398
district boards, conferment on—of the right of electing their own chairmen 1402
District and Sessions Judges, appointment of—from members of the mufassal Bar 1403
Dow Hill Government Secondary School for Girls at Kurseong 1387
Drill in schools and colleges, introduction of compulsory— 1305
East Bengal, the cyclone in— 1231
Epiphany, publication of certain anonymous correspondence on the— 117

PAGE.

TTA, HON'BLE BABU AKHIL CHANDRA—*contd.*

asked questions *re*—

Eurasians, facilities to—for appointments on railways 1404

European inspectors or officers, alleged non-eligibility of—for the posts of Deputy Superintendents of Police 652

European and Anglo-Indian officers of Police, domicile of— 655

European and Anglo-Indian Deputy Superintendents of Police, percentage of the number of appointments of— 653

exodus to Darjeeling, expenditure on the— ... 1306

Faizennessa Girls' School, accommodation of the— 1292

fees, amount of—paid to Government pleaders and prosecutors 1297

female students, number of—in the Calcutta Medical College and other medical institutions in Bengal ... 1298

foreman mechanics, training of—at Kanchrapara ... 1406

Government School teachers, grant of war allowance to— 939

Government officers, method of touring of certain—of Bankura 114

Government pensioners, payment of the monthly pensions of—by postal money-order ... 1413

Grand Trunk Canal Project 1300

hand-loom weaving, encouragement and improvement of— 1407

Hindu girls, report on the education of— ... 942

hospitals, number of beds in the—in Bengal ... 1390

industrial development of the country ... 1300

industrial concerns, names of—to whom technical advice has been given 1407

Inspector-General of Police, special powers of the—to make appointments of officiating Deputy Superintendents 654

inspectors officiating as Deputy Superintendents of Police, rule as to— 654

internees, number of—set at liberty 1108

inter. class female passengers, accommodation in certain steamers for— 940

Kishoreganj, location of the subdivisional headquarters of the proposed new district of— ... 1235

Lower Primary School, establishment of a—in each Panchayati Union 1293

Medical College Hospital, removal of an Indian patient from the—to the Ezra Hospital 1401

medical education of women in Bengal 1298

officers of executive and judicial offices, high prices and increment of pay of ministerial— ... 949

officiating Deputy Superintendents of Police, gazetting of the appointments of— 654

paddy and jute, results achieved by the distribution of improved varieties of— 1302

paper pulp, production of—from bamboo ... 1386

permanent Deputy Superintendents of Police, principle of selection of— 656

PAGE.

DATTA, HON'BLE BABU AKHIL CHANDRA—*contd.*

asked questions *re*—

Police Department, construction of buildings for the— 1297

Provincial and Subordinate Civil Services, list of officers of—in independent charge of certain departments 587

Provincial (and Subordinate) Civil Service, training of the members of the— 582

Subordinate Civil Service, rules for recruitment for the— 581

Subordinate Civil Service, members of the; and charge of important revenue departments 582

rabi food crops, etc., cultivation of— 1297

Registration Department, minimum pay of the ministerial officers in the— 1237

research tannery, progress of the scheme for a— ... 1301

rice, control of price of—in certain districts ... 1108

rice, etc., looting of— 1295

salt, manufacture of—in Chittagong 943

sanitary improvement of the province ... 1303, 1389

Serampore, expansion of the Government Weaving Institute at— 1105

Sericultural Department, scheme for the reorganization of the— 1410

Settlement Officer, provision of private quarters for— 1401

Shaju Khatun, the case of— 588

spinning and weaving, development of the indigenous system of— 1296

Sub-Deputy Magistracies, vesting of—with first class and other powers 583

Sub-Deputy Magistrates, proposal to confer first class powers on selected— 585

Sub-Deputy Collectors, management of Government estates by— 586

Sub-Deputy Collectors and their duties 586

Sub-Deputy Collectors, services of—in recruiting and other work during the war 586

Sub-Deputy Collectors holding listed appointments in the Provincial Executive Service 586

Subordinate (and Provincial) Civil Service, duties of the members of the— 582

Subordinate Civil Service, recruitment of the— ... 587

Subordinate Civil Service, collection of opinions in connection with the recruitment of the— ... 587

Sub-registrars, pay of— 1236

tanning materials, report of the tanning expert on the—obtainable from the Sunderbans forests ... 1399

technical education, advancement of—in Bengal 1300

Technological Institution, establishment of a—in Calcutta 1305

third-class female passengers and 2nd-class passengers, accommodation in certain steamers for— ... 941

Tippera and Noakhali, particulars about the construction, etc., of a building occupied by the Settlement Officer of— 1400

PAGE

DATTA, HON'BLE BABU AKHIL CHANDRA—*concld.*

asked questions *re*—

Tippera and Noakhali, cost of construction of a building for the office of the Settlement Officer of— 1401

waterworks in Bengal 1289

wood pulp, etc., leasing of forests for the extraction of— 1410

moved resolutions *re*—

Assistant Surgeons in the Presidency, improvement of the pay and prospects of the— 1415

Court language, dropping of the proposal of making English the—in Subordinate Courts ... 1186

détenus interned in Bengal, setting free of— ... 73

ministerial officers in Government offices, raising the initial pay of the—to Rs. 40 a month ... 1180

Mynamati Survey School, dropping of the proposal for abolishing the 1st year class of the— 1412

war allowance for six months, grant of 10 per cent.—to Government servants drawing not more than Rs. 100 a month 1177

spoke to resolutions *re*—

appointment of Sinha, Sir S. P. 37

détenus interned in Bengal, setting free of— ... 82

withdrew his resolutions *re*—

compounders, improvement of the pay and prospects of the—in Government hospitals 1417

Court language, dropping of the proposal of making English the—in Subordinate Courts ... 1186

Mynamati Survey School, dropping of the proposal for abolishing the 1st year class of the— ... 1413

war allowance for six months, grant of 10 per cent.—to Government servants drawing not more than Rs. 100 a month 1180

DEATH—

of late Mr. Eden 3

of Sir Andrew Fraser 314

DETENUS INTERNED IN BENGAL.

See Resolutions; Questions.

DHOTI—

See Questions.

DIAMOND HARBOUR—

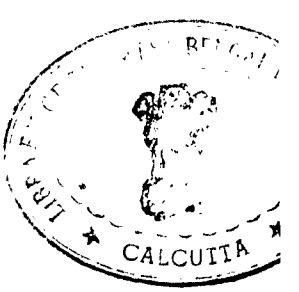
See Questions.

DISTRICT BOARD OF BURDWAN—

See Questions.

DISTRICT CHARITABLE SOCIETY.

See Questions.



PAGE.

E

EAST BENGAL CYCLONE—
See Questions.

EDEN HOSPITAL—
See Resolutions.

EDUCATIONAL INSTITUTIONS UNDER MISSIONARY ORGANIZATIONS ... 665

EDUCATIONAL SERVICE—
See Questions.

EPIPHANY—
See Resolutions ; Questions.

F

FAIZENNESSA GIRLS' SCHOOL—
See Questions.

FARIDPUR—
See Resolutions.

G

GHOSE BAHADUR, HON'BLE RAI DEBENDER CHUNDER—

asked questions *re*—

cloths, high price of— 89
East Bengal, the cyclone in— 1273, 1274
Legislative Council Hall, site for a new— ... 1206
Medical Services Commission, report of the— ... 1309
primary education, cost of—in the United Kingdom ... 302
sadhus and *sannyasis*, congregation of—at *Jagannath Ghat* 88
Serampore and Bansberia, municipal administration of— 90

spoke to resolutions *re*—

Board of Trustees, appointment of a Marwari member on the—in connection with the Barabazar Improvement Schemes 1080
Calcutta Improvement Act, 1911, taking into consideration the amendment of the— ... 1013, 1021
Chairman of the Calcutta Improvement Trust, appointment of an expert in town-planning as the— 1261
cows in Bengal, improvement of— 42
detenus interned in Bengal, setting free of— ... 78
food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1045
land values and high rents in Calcutta, appointment of a Commission to inquire into the causes of the excessive 1267
Malda, establishment of a Sub-Judge's Court at— ... 568

PAGE.

GHOSE BAHADUR, HON'BLE RAI DEBENDER CHUNDER—*concld.*

spoke to resolution *re*—

primary education, provision for extension of—within municipal limits of Calcutta 483
Principals of Colleges in Bengal, a conference of the—to consider the recommendations of the Calcutta University Commission 1368
Provincial Civil Service, judicial branch of the— ... 232
Rajshahi College, improving professorial staff of the—and opening M.A. and B.L. classes in the ... 1364
riparian municipalities, water-supply, etc., of the—in the vicinity of Calcutta 490

GRAND TRUNK CANAL PROJECT—

See Questions 1300

H

HAND-LOOM AND OTHER INDUSTRIES 675

HAQ, HON'BLE MAULVI A. K. FAZL-UL—

asked questions *re*—

Adwait Rakshit, promotion of— 1220
Anwar Hosain, appointment and resignation of one—as Secretary to the Madaripur Co-operative Central Bank 279
assessment, arbitrary—upon the members of certain rural societies 936
Bengal Secretariat, block in promotion in the— ... 938
Bengal Secretariat, percentage of appointments reserved for the different communities in the upper divisions of the— 1117
co-operative societies, particulars as to district— ... 273
co-operative societies, particulars of certain—under liquidation 577
Dacca Jail, influenza in— 938
Dacca, small-pox at— 936
Dacca, ministerial officers under the Magistrate-Collector of— 1375
Education Department service lists 1215
Epiphany, institution of legal proceedings against the editor of the— 120
Epiphany, publication of an objectionable letter in the— 119
Epiphany, publication of papers *re* action taken against the— 120
Hindu, alleged suggestion for the appointment of a—as Secretary to the Madaripur Central Bank ... 281
journalists, action against—under Act IV of 1915 ... 307
Kula Bandhu Chakravarty, case of Babu— ... 1221
Madaripur Central Bank, filling up of certain appointments in the—by the Subdivisional Officer .. 282
Madaripur Central Bank, auditorship of the— ... 282
Madaripur Co-operative Central Bank, appointment of a Secretary to the— 279

PAGE.

HAQ, HON'BLE MAULVI A. K. FAZL-UL—*contd.*

asked questions *re*—

Muhammadan gentleman, appointment of another—on the resignation of Anwar Hossain as Secretary to the Madaripur Co-operative Central Bank ... 280

Muhammadan directors of the Madaripur Central Bank, withholding of permission to the—to say their prayers 679

Narendra Nath Ray, promotion of Babu— ... 1221

office of the Director of Public Instruction, particulars about officers in the— 1215

office of the Director of Public Instruction, officers admitted into the—from other offices of the Education Department 1219

office of the Director of Public Instruction, promotions in the— 1219

office of the Director of Public Instruction, filling up of lower vacancies in the— 1219

outside grade officer, promotion of an—to graded service 1222

outsiders and outside grade officers, postings of—and special promotions to grade vacancies ... 1308

Pabna Central Bank, resignation by the Secretary to the— 282

printing presses, newspapers, etc., particulars as to certain— 676

promotion to higher grades, suspension of— ... 1222

Rai Sahib Surendra Nath Singh, extensions of service of— 1219

Registrar, Co-operative Societies, interference by the—with the Madaripur Central Bank in regard to appointments 281

Registrar, Co-operative Banks, alleged remarks by—*re* the appointment of a Muhammadan as Secretary to the Madaripur Central Bank 283

Secretary to the Madaripur Central Bank, information *re* appointment of a— 502

Secretary to the Madaripur Central Bank, alleged high-handedness of the Subdivisional Officer *re* appointment of a— 678

St. Andrew's Church, offending sermon at— .. 119

Sub-divisional Officer, alleged high-handedness of the—*re* appointment of a Secretary to the Madaripur Central Bank 282

Subordinate Educational Service, postings and promotions to grades I to IV of the— 1306

Subordinate Educational Service grades and other grades, officers of the— 1307

Sub-Inspector of Police, allegations against—of Rangpur 680

Subordinate Educational Service, promotions and prospects of officers in the— 1223

typists, raising of the pay of—serving under heads of departments attached to the Bengal Secretariat 1098

Under-Secretaries and Officers of Government, move of—to Darjeeling and Dacca 1123

PAGE.

HAQ, HON'BLE MAULVI A. K. FAZL-UL—*contd.*

moved resolutions *re*—

agricultural college, establishment of an—at Dacca ... 1136
Calcutta Medical College, appointment of an Inquiry Committee in connection with admission of candidates into the— 1154
connection of Barisal with Calcutta by rail— ... 1189
Dacca School of Engineering, appointment of an inquiry Committee in connection with the abolition of the Electrical and Mechanical classes of the— ... 1176
Eastern Bengal districts, proper and effective representation of the—on the Legislative Council to be formed under the Reform Scheme 1193
famine relief operations, a lump provision for—in Bankura 410
Final Licentiate Examination of the State Medical Faculty (November 1919), permission to appear at the— 1072
jurors in the mufassal, selection of properly qualified persons as— 1185
Muhammadan Arts College, establishment of a—at Dacca 1156
Muhammadan students, provision for hostels for— ... 448
Police Courts in Calcutta, location of the—in one building 1064
professors and lecturers in Colleges, appointment of qualified and suitable Muhammadans as— ... 1161
relief of distress, provision for—owing to high prices of cloth 441
section 110, Criminal Procedure Code, issue of instructions to Magistrates in regard to the trial of cases under— 1181
typists in the offices of the Director of Public Instruction and Inspector-General of Police, placing of—on a footing of equality with the Bengal Secretariat typists *re* pay and prospects 1340

spoke to resolutions *re*—

Arabic and Persian, suitable provision for the teaching of—in schools and colleges 1166, 1171
food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1044
Government Colleges, accommodation of successful students in— 1248
Provincial Civil Service, judicial branch of the— ... 234

withdrew his resolutions *re*—

Calcutta Medical College, appointment of an Inquiry Committee in connection with admission of candidates into the— 1156
connection of Barisal with Calcutta by rail ... 1191
Dacca School of Engineering, appointment of an Inquiry Committee in connection with the abolition of the electrical and mechanical classes of the— ... 1176
professors and lecturers in colleges, appointment of qualified and suitable Muhammadans as— ... 1165
section 110, Criminal Procedure Code, issue of instructions to Magistrates in regard to the trial of cases under— 1189

PAGE.

HAQ, HON'BLE MAULVI A. K. FAZL-UL—*concld.*

withdrew his resolutions *re*—

typists in the offices of the Director of Public Instruction and Inspector-General of Police, placing of—on a footing of equality with the Bengal Secretariat typists *re* pay and prospects 1342

HASTINGS SCHOOL, ALIPORE—

See Questions; Resolutions.

HINDU GIRLS' EDUCATION—

See Questions.

HOME GIRLS' SCHEME—

See Questions.

HOSPITALS—

See Questions.

HYGIENE AND SANITATION—

See Resolutions.

HYGIENIC CONDITIONS OF SCHOOL AND COLLEGE BUILDINGS—

See Questions.

INDIAN CIVIL SERVICE ASSOCIATION—

See Questions.

INDUSTRIAL SURVEYS AND IMPROVEMENT OF INDUSTRIES—

See Questions.

INDUSTRIES IN BENGAL SINCE THE OUTBREAK OF THE WAR—

See Questions.

INFLUENZA EPIDEMIC—

See Questions.

INTERNEES—

See Questions.

IRRIGATION WORKS—

See Questions.

IRWIN, HON'BLE MR. H. R. A.—

asked questions *re*—

hygiene and sanitation, education in—in schools and colleges 1379

risk notes, revision of the terms of existing— ... 960

Victoria and Dow Hill Schools 682

Victoria and Dow Hill Schools, re-organization of the— 1382

PAGE.

IRWIN, HON'BLE MR. H. R. A.—*concld.*

moved resolutions *re*—

hygiene and sanitation, teaching of—in all schools ... 238

Victoria and Dow Hill Schools at Kurseong, appointment of a committee for recommending steps for the improvement of the— 1075

spoke to resolution *re*—

food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1042

withdrew his resolutions *re*—

hygiene and sanitation, teaching of—in all schools ... 246

Victoria and Dow Hill schools at Kurseong, appointment of a committee for recommending steps for the improvement of the— 1079

JOURNALISTS—

See Questions.

JUTE AND PADDY—

See Questions.

K

KALA-AZAR—

See Questions.

KALNA LOCAL BOARD—

See Questions.

KASEM. HON'BLE MAULVI ABUL—

asked questions *re*—

Calcutta Police, promotion and appointment of certain officers of the— 121

Calcutta Police, minimum qualifications for appointment in the— 122

Calcutta Police, extension of service of Khan Sahib Abdur Rahim of the— 123

Epiphany, publication of an objectionable letter in the— 121

Mokbul Ahmad, the case of— 21

Narayan Chandra Chatterji, promotion of Babu—of the Calcutta Police 122

moved resolutions *re*—

Arabic and Persian, suitable provision for the teaching of—in schools and colleges 1165

Burdwan district, provision for mitigating the effects of the floods of the Ajai in the— 467

Burdwan Municipality, removal of the name of the—from the First Schedule to the Bengal Municipal Act, 1884 1346

communication between Calcutta and Dacca, improvement of— 1191

PAGE.

KASEM, HON'BLE MAULVI ABUL—*concld.*

moved resolutions *re*—

Epiphany newspaper, taking of proper steps against the person or persons responsible for the publication of the— 561

extension of service, grant of—... 1194

irrigation tanks, improvement, etc., of—in Bengal ... 1313

Malda, establishment of a Sub-Judge's Court at— ... 565

Muhammadan boys, special scholarships for— ... 470

Panchayati Union schools, provision for extension of— 473

polytechnic college, establishment of a—at Calcutta 562

primary scholarships, additional grant for the provision of— 425

teachers in primary schools, increasing the pay of— 468

spoke to resolutions *re*—

agricultural college, establishment of an—at Dacca ... 1141

cows in Bengal, improvement of— 41

food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1037

Government Colleges, accommodation of successful students in— 1215

Indian, appointment of an—as the Director of Agriculture for Bengal 1132

land values and high rents in Calcutta, appointment of a Commission to inquire into the causes of the excessive— 1267

ministerial officers in Government offices, raising the initial pay of the—to Rs. 40 a month ... 1182

Muhammadan students, provision for hostels for— ... 450

Police Courts in Calcutta, location of the—in one building 1066

Subordinate Civil (Executive) Service, improvement of— 1059

withdrew his resolutions *re*—

Burdwan district, provision for mitigating the effects of the floods of the Ajai in the— 468

Burdwan Municipality, removal of the name of the—from the First Schedule to the Bengal Municipal Act, 1884 1359

Epiphany newspaper, taking of proper steps against the person or persons responsible for the publication of the— 561

extension of service, grant of— 1195

Malda, establishment of a Sub-Judge's Court at— ... 571

Muhammadan boys, special scholarships for— ... 472

primary scholarships, additional grant for the provision of— 426

teachers in primary schools, increasing the pay of— 470

KEROSENE OIL—

See Questions.

KHAN CHAUDHURI, HON'BLE MR. ASHRAF ALI—

spoke to resolution *re*—

Malda, establishment of a Sub-Judge's Court at— ... 566

PAGE.

L

LAHA, HON'BLE RAJA HRISHIKESH—
spoke to resolution *re*—
Chairman of the Calcutta Improvement Trust, appointment of an expert in town-planning as the— 1257

M

MADARIPUR CENTRAL BANK—
See Questions.

MALDA—
See Resolutions.

MATHURAPUR—
See Questions.

MAYO HOSPITAL—
See Questions.

MAZUMDAR, HON'BLE BABU AMBIKA CHARAN—
asked questions *re*—
Assistant Surgeons, temporary services of Civil— ... 117
appointments and transfers in the Subordinate Educational Service, notification in the *Calcutta Gazette* of— 9
Faridpur Zilla School, imposition of fines on students of— 8
Faridpur Zilla School, the case of an Assistant Master of the— 87
Government grant and certain Educational Services, improvement of— 4
Government High Schools in the Dacca Division, restrictions on admission into— 5
Indian Civil Service Association 3
Madaripur High English School, school committee of the— 271
moved resolution *re*—
Faridpur, provision for the construction of the proposed record-room at— 463
spoke to resolutions *re*—
cloth and food-stuffs, high price of—, taking of steps in connection with the— 230
Provincial Civil Service, judicial branch of the— ... 227

MEARES, HON'BLE MR.—
spoke to resolution *re*—
cyclone in Eastern Bengal, grant of funds from the Imperial Government to alleviate the distress caused by the recent— 1340

MEDICAL COLLEGE, CALCUTTA—
See Questions; Resolutions

PAGE.

MEDICAL EDUCATION OF WOMEN—
See Questions.

MEDICAL EXAMINATION, SCHOOLS FOR—IN THE VERNACULAR—
See Questions.

MEDICAL PRACTITIONERS—
See Questions.

MEDICAL STUDENTS—
See Questions.

MITRA BAHADUR, HON'BLE RAI MAHENDRA CHANDRA—
asked questions *re*—

Amta drainage basin 952
Amta drainage basin, Zamindars of— 952
Amta drainage scheme, particulars of certain estates to be benefited by— 950
Amta drainage scheme, particulars of certain tenures to be benefited by— 951
Amta drainage scheme, appointment of Commissioners for the— 1279
anti-malarial works and sanitary schemes, particulars as to— 950
application for separate numbering and assessment *re* certain municipal holdings 26
Bankura, increase of cases of theft and petty dacoities in the district of— 1095
Bengal Secretariat record-room, supervision and staff of the— 512
Bengal Secretariat Book Depôt, supervision and staff of the— 512
Bengal Secretariat Book Depôt, removal of the—to Chetla 1115
Bhagirathi, prevention of pollution of the— ... 1278
Calcutta Small Cause Court, inconvenience of the litigants of the—for want of stamps 313
cases pending, statement of certain—in Sub-Judges' Courts 310
Civil Service Association 12
colleges in Bengal, admission of students into the different— 1377
Damodar basin, Public Works Department Division for— 954
district kanungos, alleged grievances of the—of Bengal 1210
Drainage Commissioners, appointments of— ... 951
Education Department, grant of extensions of service in the— 512
Education Department, sale of certain publications of the— 1116
food-stuffs, high price of— 921
Gobardanga Wards' Estate 953
Government subordinates, etc., rates of pay of— ... 1279
Hastings School, Alipore ... 1097, 1099
Indian Arms Act, new rules under the— 1280
industrial surveys and improvement of industries ... 91
influenza epidemic 24
irrigation works, expenditure on— 92

PAGE.

MITRA BAHADUR, HON'BLE RAI MAHENDRA CHANDRA—*contd.*

asked questions *re*—

Judges of the Calcutta Small Cause Court and other mufassal Judges, jurisdiction and salaries of— ... 11

kerosene oil, rules and notifications for controlling the sale of— 923

kerosene oil, control of— 951

medical schools and colleges, admission into— ... 26

Medical College, Calcutta, qualifications, etc., of students admitted into the— 124

Munsifs and Deputy Magistrates, salary of— ... 10

Moyna, obstructed drainage in pargana—in Tamluk ... 952

original civil suits and certain appeals cases, number of—decided during 1915–17 313

practice of laying statements on the library table of the Bengal Legislative Council 1116

primary schools in rural Bengal 12

Provincial Judicial Service, appointment of members of the—to District Judgeships 11

Provincial Judicial Service, duties of the— ... 10

public square, acquisition of certain municipal holdings for a— 25

Public Works Department Budget, particulars as to amount spent under certain heads in the— ... 125

raiyats, sufferings of—owing to agricultural depression 264

"Rules and Orders of the Education Department, Bengal," republication of the— 127

Saraswati Puja holiday 93

Saraswati, desecration of the image of—by Mr. A. B. Johnston 596

secondary education, improvement of— 1375

standard cloth, sale of—to the poor in rural areas ... 12

standard cloth, licensed dealers for the sale of—to the poor 25

subordinate and higher judiciary, duties, rank, etc., of the— 10

Tolly's Nullah, pollution of—from discharges of Russa Distillery .. 1102

moved resolutions *re*—

Amta and Uluberia, the sufferings of the agriculturists of—, and Amta drainage project 58

Bhagirathi, pollution of the— 59

clerks drawing Rs. 100 or less per mensem, grant of allowance to—serving under Government ... 454

cloth and food-stuffs, high price of—,taking of steps in connection with the 251

famine relief, provision for—for Bankura and other districts 409

Government Colleges in Bengal, accommodation of successful candidates in— 1153

Government Colleges, accommodation of successful students in— 1240

Hastings School (Alipore), appointment of a committee to inquire into the working of the— 1146

Indian, appointment of an—as the Director of Agriculture for Bengal 1131

PAGE

MITRA BAHADUR, HON'BLE RAI MAHENDRA CHANDRA—*concld.*

moved resolutions *re*—

Medical College, Calcutta, and Belgatchia Medical College, accommodation in the— ... 246, 251

Medical College, Calcutta, addition of certain departments to the— 404

spoke to resolutions *re*—

clerks drawing Rs. 100 or less per mensem, grant of allowance to—serving under Government ... 458

food-stuffs, remedial measures for alleviating distress due to rise in price of— 1047

irrigation tanks, improvement, etc., of—in Bengal ... 1345

leprosy in Calcutta 1006

principals of colleges in Bengal, a conference of the—to consider the recommendations of the Calcutta University Commission 1367

Provincial Civil Service, judicial branch of the— ... 234

riparian municipalities, water-supply, etc., of the—in the vicinity of Calcutta 490

Subordinate Civil (Executive) Service improvement of— 1060

withdrew his resolutions *re*—

Amta and Uluberia, the sufferings of the agriculturists of—, and Amta drainage project 59

famine relief, provision for—for Bankura and other districts 410

Hastings School (Alipore), appointment of a committee to inquire into the working of the— 1153

Medical College, Calcutta, and Belgatchia College, accommodation in the— 246, 251

Medical College, Calcutta, addition of certain departments to the— 406

MITTER, HON'BLE MR. PROVASH CHUNDER, IN THE ABSENCE OF HON'BLE SIR D. P. SARBADHIKARY—

moved resolution *re*—

Dacca Medical School, provision for raising the—to the status of a Medical College 436

MITTER, HON'BLE MR. PROVASH CHUNDER—

moved resolution *re*—

income of the Government of Bengal, investigations *re* possibility of increasing the— 553

moved an amendment of the resolution *re*—

polytechnic college, establishment of a—at Calcutta ... 562

spoke on—

Eden, death of the late Mr.— 3

spoke to resolutions *re*—

détenus interned in Bengal, setting free of— ... 76

famine relief operations, a lump provision for—in Bankura 414

Government Colleges, accommodation of successful students in— 1246

Howrah College, grant out of the current year's budget to the promoters of the proposed— ... 1255

medical schools, provision for additional—in Calcutta or suitable mufassal districts 430

PAGE.

MITTER, HON'BLE MR. PROVASH CHUNDER—*concld.*

withdrew his resolution *re*—

medical schools, establishment of more— ... 553

MODEL DAIRIES—

See Resolutions.

MOOKERJEE, HON'BLE SIR RAJENDRA NATH—

spoke to resolutions *re*—

Chairman of the Calcutta Improvement Trust, appointment of an expert in town-planning as the— 1266

famine relief operations, a lump provision for—in Bankura 416

primary education, provision for extension of—within municipal limits of Calcutta 482

MORTALITY OF INFANTS—

See Questions.

MUKHARJI, HON'BLE BABU SIV NARAYAN—

asked questions *re*—

Damodar, scheme for the erection of refuge mounds on the right side of the— 310

dispensaries, establishment of—in rural areas ... 971

drinking-water tanks, excavation of—by certain district boards 505

drinking-water tanks, non-excavation of—by certain district boards 506

drinking-water and excavation of tanks, improvement of—in rural areas 1103

girls' schools in Bengal, improvement of the existing— 27

Public Works cesses credited to district boards ... 307

Public Works, statement as to progress, etc., of certain— 969

relief measures in flood-stricken areas 118

Rohra *khal*, survey of the— 968

water-supply, registers of— 307

water-supply, relaxation of the rule *re* contribution of one-third of the cost of— 308

water-supply, measures taken by district boards for providing pure— 502

spoke to resolutions *re*—

Bhagirathi, pollution of the— 62

food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1039

Government Colleges, accommodation of successful students in— 1243

MUNSIFS AND DEPUTY MAGISTRATES, SALARY OF—

See Questions.

MYMENSINGH-BHAIRAB RAILWAY—

See Questions.

MYMENSINGH DISTRICT 266

PAGE.

MYNAMATI SURVEY SCHOOL
See Resolutions.

N

NEEDLE-WORK AND DOMESTIC ECONOMY—
See Questions.

O

OPEN-AIR SCHOOLS—
See Questions.

P

PABNA—
See Questions.

PAL BAHADUR, HON'BLE RAI RADHA CHARAN—
asked questions *re*—

assessors of income-tax, pay of— 1199
Bengal Secretariat re-organization scheme (1910), effect of the— 646
Boy Scout movement, introduction of—in selected high schools 1103
Calcutta Medical College, admission of students into the— 1092
Calcutta, regulation of traffic in the northern part of— 962
charkas, revivification of the indigenous,— for the spinning of yarns 915
Civil Assistant Surgeons. revised scale of pay and prospects of-- 1094
cloth-weaving industry, organization of the— ... 915
Collector of Calcutta, the post of the— ... 646
Cotton cultivation, improvement of— 916
Diamond Harbour Creek, silting up of the— ... 913
Diamond Harbour, drinking-water reserve tank in— 913
Eastern Bengal Railway, alleged grievances of the public travelling on the southern section of the— ... 914
Excess Profits Tax, filling up of the posts of assessors and accountants in connection with the assessment of the— 1093
extra copyists in the Calcutta Registry Office, improvement in the pay and prospects of the— ... 1201
Garden Reach Municipality 1202
grain compensation allowance 647
Hackney-carriage Department, transfer of the—from the Calcutta Corporation to the Commissioner of Police 645
Hajipur, insufficiency of reserve tanks at— ... 914
head-constables, revision of the scale of pay of—of the Bengal Police— 1094
Indian Finance Department General List, candidates for admission to— 967

PAGE.

PAL BAHADUR, HON'BLE RAI RADHA CHARAN—*contd.*

asked questions *re*—

lower grade assistants, memorial of the—of the Bengal Secretariat 301
medical education, progress in vernacular— ... 962
municipalities outside Calcutta having first and second class Health Officers and Sanitary Inspectors 962
Navaran-Satkhira and Bongong-Satkhira lines ... 1202
Northern section of the town, congestion of traffic in the— 1200
public finance, new scientific scheme of— ... 645
public servants, increase in the pay of— ... 917
rabi food crops, cultivation of— 916
resources of the country, development of— ... 965
sanitary improvement, non-official efforts for—in certain malarial areas 964
silk-worm investigations, expenditure on and result of— 966
stegomyia inquiry, progress of— 966
toll collectors on Bengal canals 967
Victoria School (Kurseong), alleged back of medical attendance in the— 1199
Vishnupur, new sub-division at—in the 24-Parganas 914

moved resolutions *re*—

Board of Trustees, appointment of a Marwari member on the—in connection with the Barabazar Improvement Scheme 1079
Calcutta Improvement Act, 1911, consideration of the amendment of the— 1019
Calcutta Improvement Act, 1911, taking into consideration the amendment of the— 1010
Chairman of the Calcutta Improvement Trust, appointment of an expert in town-planning as the— ... 1257
district boards and municipal charitable dispensaries, grant to—for the introduction of the Ayurvedic system of medicine 493
food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1031
Howrah College, grant out of the current year's budget to the promoters of the proposed— ... 1254
Port Commissioners' lands in Calcutta lying north of Howrah Bridge 1024
primary education, provision for extension of—within the municipal limits of Calcutta 478
riparian municipalities, water-supply, etc., of the—in the vicinity of Calcutta 489

spoke to resolutions *re*—

clerks drawing Rs. 100 or less per mensem, grant of allowance to—serving under Government ... 457
cloth and food-stuffs, high price of, taking of steps in connection with the— 261
hygiene and sanitation, teaching of—in all schools ... 244
Medical College, Calcutta and Belgatchia College, accommodation in the— 247
Sinha, appointment of Sir S. P.— 37

PAGE.

PAL BAHADUR, HON'BLE RAI RADHA CHARAN—*concld.*

withdrew his resolutions *re*—

Calcutta Improvement Act, 1911, taking into consideration the amendment of the— 1019

Chairman of the Calcutta Improvement Trust, appointment of an expert in town-planning as the— ... 1263

Howrah College, grant out of the current year's budget to the promoters of the proposed— ... 1256

Port Commissioners' lands in Calcutta lying north of Howrah Bridge 1028

PANCHAYATI UNION SCHOOLS—

See Resolutions.

PAPER-PULP EXPERIMENTS FROM BAMBOO—

See Questions.

PERSONS INTERNED AT THEIR HOMES—

See Questions.

PHELPS, HON'BLE MR.—

asked question *re*—

kinematograph, use of the—in diffusing elementary knowledge of hygiene, etc., in the mufassal ... 1234

moved resolutions *re*—

land values and high rents in Calcutta, appointment of a commission to inquire into thecauses of the excessive— 1265

hospitals of Calcutta, improvement of medical services in the— 402

spoke to resolutions *re*—

Chairman of the Calcutta Improvement Trust, appointment of an expert in town-planning as the— 1263

cloth and food-stuffs, high price of—taking of steps in connection with the— 261

withdrew his resolution *re*—

hospitals of Calcutta, improvement of medical services in the— 404

POLYTECHNIC COLLEGE—

See Resolutions.

PRESIDENCY, DACCA AND RAJSHAHI COLLEGES—

See Questions.

PRESIDENT'S REFERENCE TO THE DEATH OF THE LATE MR. EDEN ... 3

PRESIDENTS' ADDRESS— 37, 314, 908

PRIMARY EDUCATION IN BENGAL—

See Questions.

PRIMARY SCHOOLS—

See Questions.

PROVINCIAL CIVIL SERVICE, JUDICIAL BRANCH OF THE—

See Resolutions.

PAGE.

PROVINCIAL DEPARTMENT OF INDUSTRIES—

See Questions.

PROVINCIAL JUDICIAL SERVICE—

See Questions.

PUBLIC HEALTH, EXPENDITURE ON—

See Questions.

PUBLIC SERVICES COMMISSION—

See Resolutions.

PUBLIC WORKS CESSES—

See Questions.

PUBLIC WORKS DEPARTMENT—

See Questions.

Q

QUESTIONS *re*—

acquisition of land, names of industrial companies to whom facilities have been given for the— ... 1406
Additional District Judges, hearing of appeals by— ... 1403
Adwait Rakshit, promotion of Babu— 1220
agriculture, establishment of a board of—in Bengal ... 270
agricultural education, scheme of—in Bengal ... 501
agricultural statistics, accuracy of— 1227
Akshaya Kumar Ganguli, the case of Excise Officer Babu— 576
alleged deaths from starvation 1119
Amta drainage basin 952
Amta drainage basin, Zamindars of— 933
Amta drainage basin, Zamindars of— 952
Amta Drainage Scheme, Drainage Commissioners and— 932
Amta Drainage Scheme, particulars of certain estates to be benefited by— 950
Amta Drainage Scheme, particulars of certain tenures to be benefited by— 951
Amta Drainage Scheme, appointment of Commissioners for the— 1279
anti-malarial works and sanitary schemes, particulars as to— 950
anti-malarial works 1303
Anwar Hosain, appointment and resignation of one— as Secretary to the Madaripur Co-operative Central Bank 279
armed inspectors, grant of a special allowance to— ... 513
arts colleges, admission of candidates into the different classes of the various— 1312
assessment, arbitrary—upon the members of certain rural societies 936
assessors of income-tax, pay of— 1199
Assistant Superintendent of Police, vacancies in the rank of— 660
Assistant Surgeons, temporary services of Civil— ... 117

PAGE.

QUESTIONS *re—contd.*

Assistant Surgeons, initial pay of— 1305
Babu Sarat Chandra Chakravarti, issue of a gun license to— 1292
backward classes, Government grant to the society for the improvement of the— 270
Bankura district, apprehended famine in the— ... 116
Bankura, increase of cases of theft and petty dacoities in the district of— 1095
Bankura, raising of a fund in—for the reception of His Excellency the Governor 116
beggars, treatment of—in Calcutta 272
Bengal, decision to treat—as a surplus province ... 1228
Bengal Home Industries Association, grants to— ... 682
Bengal Juvenile Smoking Act 1090
Bengal Legislative Council, practice of laying statements on the library table of the— 1116
Bengal Legislative Council (1914-18), resolutions carried in the— 99
Bengal Secretariat Book Depôt, removal of the—to Chetla 1115
Bengal Secretariat Book Depôt, supervision and staff of the— 512
Bengal Secretariat, percentage of appointments reserved for the different communities in the upper divisions of the— 1117
Bengal Secretariat record-room, supervision and staff of the—... 512
Bengal Secretariat re-organization scheme, effect of the— 646
Bengal Village Self-Government Act 1090
Bengal Village Self-Government Act (1919), introduction of the—in the province 1402
Bhagirathi, prevention of the pollution of the— ... 1278
Bhairab, improvement of the water-course of the—... 111
Board of Agriculture, action on the recommendations of the—... 497
Boy Scout movement, introduction of—in selected high schools 1103
Boy Scout movement 1304
B. Pal Chaudhuri, bequest of Mr.— 958
Budget estimate of 1919-20, particulars of probable savings under the head "Education" in the— ... 600
Burma rice, consumption and sale of— 1282
Burma rice, licensed importers of— 112
Burma rice, rates of— 1113, 1231
Calcutta Commercial Institute, appointment of a Principal for the—... 121
Calcutta Customs Preventive Service, appointment of Indians to the— 1383
Calcutta disturbances, action of military in recent— 942
Calcutta fish trade, monopoly of the— 1316
Calcutta Medical College, admission of students into the— 1092, 1107
Calcutta Police, extension of service of Khan Sahib Abdur Rahim of the— 123

PAGE.

QUESTIONS *re—contd.*

Calcutta Police, promotion and appointment of certain officers of the— 121
Calcutta, regulation of traffic in the northern part of— 962
Calcutta Small Cause Court, inconvenience of the litigants of the—for want of stamps 313
cane sugar, the inquiry into the prospects of— ... 1319
cases pending, statement of certain—in Sub-Judges' Courts 310
cattle census, scheme of— 676
cess revaluation proceedings 110
chairmen. official and non-official—of district boards 112
charkas, revivification of the indigenous—for the spinning of yarns 915
chaukidar, case of a— 1236
chaukidar, suspension of a— 1119
child welfare, scheme regarding— 509
children, medical inspection of— 1128
Chittagong and Midnapore brine, suitability of the—for the manufacture of salt 601
Chittagong forest, lease of a—for paper-pulp manufacture 928
Chittagong Port, management of— 930
Civil Assistant Surgeons, revised scale of pay and prospects of— 1094
clerks in the grades up to Rs. 50, promotion of— ... 506
cloths, high price of— 89
cloth, price of— 1277
cloth, high price of—in Bengal 972
cloths, rise in the prices of— 1206
cloth-shops, etc., opening of co-operative— ... 1277
cloth-weaving industry, organization of the— ... 915
Collector of Calcutta, the post of the— 646
colleges in Bengal, admission of students into the different— 1377
Comilla, the climate of— 1126
Comilla, the hospital at— 1294
co-operative milk societies 1318
co-operative societies in Bengal 1318
co-operative societies, particulars as to district— ... 273
co-operative stores 1318
co-operative societies, particulars of certain—under liquidation 577
co-operative societies with industrial objects, development of— 1410
cotton, cultivation of— 1296
cotton cultivation, improvement of— 916
Court of Wards, estates under—and Government management 1117
Court of Wards, management charges of the estates under the— 500
cyclone-sufferers, relief measures to the— ... 1403
Dacca and Moynamati, survey schools at— ... 1096
Dacca Central Jail, influenza in— 933

PAGE.

QUESTIONS *re—contd.*

Dacca College, admission of students into the— .. 1125
Dacca District Board, resolutions *re* communications in that district 501
Dacca Division, proposed railway lines in the— ... 1385
Dacca Division, river improvement in— 928
Dacca Jail 938
Dacca, ministerial officers under the Magistrate-Collector of— 1375
Dacca Nawab's Estate, dismissal of officers employed in the— 1319
Dacca, public meeting at—*re* difficulties of communication in the district 268
Dacca railway station, inadequacy of the waiting-room for female passengers at— 1115
Dacca School of Engineering 929
Dacca School of Engineering, electrical and mechanical engineering courses at the— 929
Dacca School of Engineering. improvement of the— 98
Dacca School of Engineering, improvement in the— 1404
Dacca School of Engineering, proposals for developing and improving the— 929
Dacca, small-pox at— 936
dacoities, outbreak of— 306
Dakshina Ranjan Ghosh, the case of Sub-Inspector— 1128
Damodar basin, Public Works Department Division for— 954
Damodar, scheme for the erection of refuge mounds on the right side of the— 310
Darjeeling, charcoal supply in— 1127
Darjeeling-Himalayan Railway, through 3rd-class tickets on the— 1384
date *gur* and sugarcane investigations at Dacca Farm 928
Deputy Conservator of Forests, allegations against Mr. Baker 1208
Deputy Superintendents of Police and Indians, posts of— 652
Deputy Superintendents of Police, educational qualifications of certain— 651
Deputy Superintendent of Police, history of service of each European and Anglo-Indian 650
Deputy Superintendents of Police, particulars as to the cadre of—in Bengal 650
Deputy Superintendents of Police, vacancies in the rank of— 660
détenu, alleged refusal to grant leave to a— ... 1399
dhoti, price of certain specimens of— 96
Diamond Harbour Creek, silting up of the— ... 913
Diamond Harbour, drinking-water reserve tank in— 913
Director of Civil Supplies, duties of the— ... 1109, 1229
Director of Civil Supplies and the Collector of Customs, relations between the— 1230
Director of Public Instruction, extension of service to clerks in the office of the— 1118
Director of Public Instruction, filling up of lower vacancies in the office of the— 1219

PAGE.

NS *re—contd.*

Director of Public Instruction, officers admitted into the office of the—from other offices of the Education Department 1219

Director of Public Instruction, particulars about officers in the office of the— 1215

Director of Public Instruction, promotions in the office of the— 1219

dispensaries, establishment of—in rural areas ... 971

dispensaries, number of—maintained by district boards 1398

District and Sessions Judges, appointment of—from members of the *mufassal* Bar 1403

district board dispensaries 959

district boards, conferment on—of the right of selecting their own chairmen 1402

District Board of Burdwan, appointment of a District Engineer by the— 268

District Charitable Society, grant of land by Government to the—for alms-houses 272

District Judge of Chittagong, promotion of some junior clerks of the office of the—in supersession of their seniors 507

district kanungos, alleged grievances of the—of Bengal 1210

Dow Hill Government Secondary School for Girls at Kurseong 1387

Drainage Commissioners, appointments of— ... 951

drill in schools and colleges, introduction of compulsory— 1305

drinking-water and excavation of tanks, improvement of—in rural areas 1103

drinking-water tanks, excavation of—by certain district boards 505

drinking-water tanks, non-excavation of—by certain district boards 506

Eastern Bengal areas, establishment of a waterways division for the— 1114

East Bengal, the cyclone in— 1273, 1274, 1276, 1291, 1324

Eastern Bengal, provision of proper meteorological arrangements in— 1322

Eastern Bengal Railway, alleged grievances of the public travelling on the southern section of the— ... 914

East, demand of security from the newspaper, The—... 1121

Educational Budget grants, etc., certain statistics *re* the—for the last five years 961

Education Department, grant of extensions of service in the— 512

Education Department, sale of certain publications of the— 1116

Education Department Service Lists 1215

education, grants by the Government of India for— 955

Educational Service, improvement of the— ... 919

education, spread of—among women 1127

Epiphany, institution of legal proceedings against the editor of the— 120

PAGE.

QUESTIONS *re—contd.*

Epiphany, publication of an objectionable letter in the— 119, 121
Epiphany, publication of certain anonymous correspondence in the— 117
Epiphany, publication of papers *re* action taken against the— 120
estates under the Court of Wards, examination of accounts of certain— 1322
estimated excess of capital expenditure for police purposes over the assignment 681
Eurasians, facilities to—for appointments on railways 1404
European and Anglo-Indian Deputy Superintendents of Police, percentage of the number of appointments of— 653
European and Anglo-Indian officers of Police, domicile of— 653
European Inspectors or Officers, alleged non-eligibility of—for the posts of Deputy Superintendents of Police 652
Excess Profits Tax, filling up of the posts of assessors and accountants in connection with the assessment of the— 1093
exodus to Darjeeling, expenditure on the— ... 1306
extra copyists in the Calcutta Registry office, improvement in the pay and prospects of the— ... 1201
Faizennessa Girls' School, accommodation of the—at Comilla 1292
Faridpur Zilla School, the case of an assistant master of the— 87
fees, amount of—paid to Government Pleaders and Prosecutors 1297
female students, number of—in the Calcutta Medical College and other medical institutions in Bengal ... 1298
fish-curing industry, etc., prospects of the— ... 1315
fishermen, alleged demand of gratuities by railway servants from— 1317
Fisheries, Department of— 1315
fishermen, co-operative societies among— ... 1316
food-crops, supply to Civil Courts of price-lists of staple— 1235
food-grains, normal requirements of Bengal in—for human consumption 1225
food-grains, opening of stores for the supply of— ... 957
food-grains, surplus of—in normal years 1226
food-grains, total production of—in Bengal during the last five years 1226
food supplies, conferences held at Nagpur and Delhi on the question of— 1228
food-stuffs, high price of— 921
foreman mechanics, training of—at Kanchrapara ... 1406
forest Department, appointments in the— ... 1384
forest produce, entry passes for taking— 94
Garden Reach Municipality 1202
Ghose, Miss Lilabati— 973
Goalundo Ghat, waiting accommodation at— ... 931
Gobardanga Ward's Estate 953

PAGE.

)NS *re—contd.*

Government estates, progress of literacy and agricultural improvement in the—in the Dacca Division 499
Government High Schools, improvement of the pay of teachers in— 1385
Government High Schools, improvement of staff and increase of pay of teachers in— 1386
Government High Schools in the Dacca Division, restrictions on admissions into— 5
Government High English School, teachers, new recurring grant for— 592
Government High Schools, improvement of the staff and increase of pay of teachers in— 1105
Government Officers, method of touring of certain —of Bankura 114
Government Schools, improvement of the lot of teachers in— 1106
Government School teachers, grant of war allowance to— 939
Government subordinates etc., rates of pay of— ... 1279
Grand Trunk Canal Project 1300
grain compensation allowance 647
Hackney-carriage Department, transfer of the—from the Calcutta Corporation to the Commissioner of Police 645
Hajipur, insufficiency of reserve tanks at— ... 914
hand-loom weaving, encouragement and improvement of— 1407
hand-loom and other industries 675
IS SCHOOL, ALIPORE 1087, 1099
head-constables, revision of the scale of pay of—of the Bengal Police 1094
High Court, alleged suggestions by the—as to petitions, plaints, etc., in *mufassal* Courts being only in English 501
high prices, number of memorials and representations made to Government owing to the prevailing— 1210
high school students, ineligibility of certain—for junior Matriculation scholarships 1224
Hindu, alleged suggestion for the appointment of a —as Secretary to the Madaripur Central Bank ... 281
Hindu girls' education 931
Hindu girls' education, progress of the Committee on the future organization of— 577
Hindu girls, report on the education of— ... 942
home girls' scheme 682
" home school " for girls 932
hospitals, number of beds in the—in Bengal ... 1390
hot-weather charges for Government schools in the Chittagong division 960
Howrah station, death of a student in a crush at— ... 1090
hygiene and sanitation, education in—in schools and colleges 1379
hygienic conditions of school and college buildings, special officer to enquire into— 675
Imperial educational grant, expenditure of— ... 960

PAGE.

QUESTIONS *re—contd.*

Imperial grants, non-utilisation of—for education ... 926
India General Navigation and River Steam Navigation Companies, enhancement of the parcel rates of the— 114
Indian boys, training of—in railway workshops ... 502
Indian Finance Department General List, candidates for admission to— 967
industries, development of— 932
Indian Arms Act, new rules under the— ... 1280
Indian Police Officers and keeping of revolvers ... 934
Indian station hospital, prosecution of two employees of the—at Alipore 1123
industrial concerns, names of—to whom technical advice has been given 1407
industrial development of the country 1300
Industries, Provincial Department of— 958
industrial and technical schools for females independent of missionary control 1098
industries started in Bengal since the outbreak of the war 497
industrial surveys and improvement of industries ... 91
Inspector-General of Police, special powers of the —to make appointments of officiating Deputy Superintendents 654
Inspectors officiating as Deputy Superintendents of Police, rule as to— 654
inter-class female passengers, accommodation in certain steamers for— 940
internees, unconditional release of certain— ... 959
internees, number of—set at liberty 1108
irrecoverable temporary loans 680
irrigation works, expenditure on— 92
journalists, action against—under Act IV of 1915 ... 307
jute and paddy, supply of seeds of—to cultivators ... 95
jute market 1277
Kala-azar Survey, nature and scope of the— ... 674
Kalimpong, development of— 681
Kalimpong, development of—as a hill station ... 1322
Kalna Local Board, general election for the constitution of the— 93
Kerosene oil, control of— 951
Kerosene oil, rules and notifications for controlling the sale of— 923
khas mahal staff of Maniaguri, revision of pay of the— 1204
khals, progress in the re-excavation of certain— ... 266
Khulna-Bagerhat Railway 1323
kinematograph, use of the—in diffusing knowledge of hygiene, etc., in the *mufassal* 1234
Kishoreganj district, site of headquarters of the proposed—. 1205
Kishoreganj, location of the subdivisional headquarters of the proposed new district of— ... 1235
Kula Bandhu Chakravarty, case of Babu— ... 1221
Legislative Council Hall, site for a new— ... 1206

PAGE.

NS *re—contd.*

Local Self-Government, resolution on— ... 958
Local Self-Government, collection of opinions of District Boards on the Government of India Resolution on— 112
local taxation, particulars of—imposed by union committees (1917-18) 267
lower grade assistants, memorial of the—of the Bengal Secretariat 301
lower primary school, establishment of a—in each Panchayati Union 1293
Lower Subordinate Educational Service, improvement of pay of the— 1204
Madaripur Central Bank, auditorship of the— ... 282
Madaripur Central Bank, filling up of certain appointments in the —by the Subdivisional Officer ... 282
Madaripur Co-operative Central Bank, appointment of a Secretary to the— 279
Madaripur High English School, School Committee of the— 271
married officers, relief to junior—of the superior services 1373
Mathurapur, closing of the charitable dispensary at— 1320
Mathurapur, closing of the Middle English School at— 1383
Mathurapur Ward's Estate 1320
Mayo Hospital, alleged dereliction of duty on the part of the doctor in charge of the— ... 1091, 1287
Medical College, Calcutta, qualifications, etc., of students admitted into the— 124
Medical College Hospital, removal of an Indian patient from the —to the Ezra Hospital ... 1401
medical education, progress in vernacular— ... 962
medical relief, extension of —in rural areas 1125, 1234
Medical Services Committee, report of the— ... 1309
medical education of women in Bengal ... 1298
medical examination, schools for—in the vernacular 284
medical practitioners, number of registered — in each district with its population 591
medical students, concession to certain — ... 589
ministerial officers, rates of pay of—of Civil and Criminal Courts 113
mortality of infants under one year in Bengal ... 500
Moyna, obstructed drainage in pargana—in Tamluk 952
Muhammadan directors of the Madaripur Central Bank, withholding of permission to the—to say their prayers 679
Muhammadan gentleman, appointment of another—on the resignation of Anwar Hosain as Secretary to the Madaripur Central Bank 280
municipalities outside Calcutta having 1st and 2nd class Health Officers and Sanitary Inspectors ... 962
Munsifs' Courts, number of civil suits disposed of by—in the Mymensingh district 266
Mymensingh-Bhairab Railway, grievances of the public travelling on— 499

PAGE.

QUESTIONS *re—contd.*

Narayan Chandra Chatterji, promotion of Babu—of the Calcutta Police 122
Narendra Nath Ray, promotion of Babu— ... 1221
Navaran-Satkhira and Bongong-Satkhira lines ... 1202
Nawabpur Road (Dacca), trouble caused to the public by the constant closing to traffic of the level-crossing on the— 1115
needlework and domestic economy, teaching of—in girls' high and middle schools 674
newspapers, periodicals, etc., started with political aims during the last three years 647
Noakhali district, removal of headquarters of the— ... 971
northern section of the town, congestion of traffic in the— 1200
officers of executive and judicial offices, high prices and increment of pay of ministerial— 949
officiating Deputy Superintendents of Police, gazetting of the appointments of— 654
open-air schools, system of— 514
original civil suits and certain appeal cases, number of—decided during 1915—17 313
outsiders and outside grade officers, postings of—and special promotions to grade vacancies 1308
outside grade officer, promotion of an—to graded service 1222
Pabna Central Bank, resignation by the Secretary to the— 282
Pabna, danger to the southern part of—by erosion of the Ganges 1203
paddy and jute, results achieved by the distribution of improved varieties of— 1302
Padma to Dhaleswari, construction of a dam on the proposed new navigable route from— 1114
Pal Chowdhury, bequest of the late Mr. B.—for the establishment of primary schools 597
paper-pulp experiments from bamboo 927
paper-pulp, production of—from bamboo 1386
permanent Deputy Superintendents of Police, principle of selection of— 656
persons interned, particulars as to—at their homes ... 515
Police Department, construction of buildings for the— 1297
political prisoners, non-official visitors to— .. 959
Presidency, Dacca and Rajshahi Colleges, certain statistics in regard to— 1310
prices of food-stuffs, economic distress caused by the abnormal— 499
primary education in Bengal 302
primary education in municipal areas 1112
primary schools, control of Government over aided and unaided— 269
primary education, cost of—in the United Kingdom ... 302
primary schools, free-studentships in— 597
Principals and Circle Inspectors of Colleges, method of filling up the posts of— 1085
printing presses, newspapers, etc., particulars as to certain— 676

PAGE.

QUESTIONS *re—contd.*

priority certificates, grant of— 1230
Prodyot Kumar Tagore, Kt., estate of the Maharaja Sir— 1207
promotion to higher grades, suspension of— ... 1222
Provincial Department of Industries, organization of a— 306
Provincial and Subordinate Civil Services, list of officers of—in independent charge of certain departments 587
Provincial Educational Service, University careers of certain officers of the— 920
Provincial Judicial Service 1089
Provincial Judicial Service, appointment in the— ... 593
Provincial Judicial Service, particulars as to certain officers of the— 593
public finance, new scientific scheme of— 645
public health, expenditure on—in municipalities ... 107
Public Health Service, provincializing the— ... 1312
public servants, increase in the pay of— 917
Public Works cesses credited to district boards ... 307
Public Works Department, etc., call for tenders by the— 95
Public Works Department Budget, particulars as to amount spent under certain heads in the— ... 125
Public Works Department. Upper Subordinate Service of the— 1208
public works, statement as to progress, etc., of certain— 969
rabi food crops, cultivation of— 916
rabi food crops, etc., cultivation of— 1297
Rai Kumudini Kanta Banarji Bahadur, house allowance of— 921
Rai Kumudini Kanta Banarji Bahadur, supersession of— 922
railway lines, opening of certain— 1385
Rai Sahib Surendra Nath Singh, extensions of service of— 1219
raiyats, sufferings of—owing to agricultural depression 264
Rajshahi College, status of the—under the principalship of Rai Kumudini Kanta Banarji Bahadur 921
Rajshahi College, librarian of the— 1274
Rajshahi College, status of teacher of economics in the— 1276
Rajshahi College, want of a gymnastic and games teacher in the— 1275
Rajshahi district, appointment of an inhabitant of the—to the judicial service 1374
Rajshahi *Zamindars*, memorial of—*re* postponement of recovery of settlement costs 507
Rangamati Government High English School, grant of hill allowance to teachers of the— 592
Rangamati High English School, grant of hill allowance to the teachers of the— 961
Rangoon rice, wholesale and retail prices of— ... 305

PAGE.

QUESTIONS *re—contd.*

Registrar, Co-operative Societies, interference by the —with the Madaripur Central Bank in regard to appointments 281
Registrar, Co-operative Banks, alleged remarks by— *re* the appointment of a Muhammadan as Secretary to the Madaripur Central Bank 283
Registration Department, minimum pay of the ministerial officers in the— 1237
relief measures in connection with present distress ... 957
relief measures in flood-stricken areas 118
relief measures, high prices and— 934
religious endowment committees 663
research tannery, progress of the scheme for a— ... 1301
resources of the country, development of the— ... 965
rice, alleged export of—for non-food purposes ... 1113
rice and other food-stuffs, rise in the price of—in Bengal 972
rice consumption 1108
rice, control of price of—in certain districts ... 1108
rice, control over the export of— 1110
rice, export and import of— 955
rice, export of— 112, 1109, 1111
rice, export of—from Bengal 1229
rice, etc., looting of— 1295
rice, sale of—in the districts 1206
rice stock, census of—in Bengal 1113
rice stocks, census of— 1230
rice, supply of—in the districts of Dacca, Mymensingh and Tippera 1210
rice to be exported, placing of a maximum limit on the total quantity of—from Bengal 1230
rice, total export and import of—in Bengal in 1917-18 1227
rice, treatment of Bengal as a surplus province in the matter of— 1280
risk notes, revision of the terms of existing— ... 960
Rohra *khal*, survey of the— 968
"Rules and Orders of the Education Department, Bengal," republication of the— 127
Sabour Agricultural College, Bengali students of—and Government contributions towards— 498
Sadhus and *Sannyasis*, congregation of—at *Jagannath Ghat* 88
salt, manufacture of—by Indians 270
salt, manufacture of—in Chittagong 943
salt, manufacture of—by Indians 601
Sandwip, telegraphic communication with the island of— 117
sanitary improvement of the province 1303
sanitary improvement of the province 1389
Sanitary Officers, formation of a separate cadre for— 1312
sanitation, Government policy *re*—in rural areas ... 267
sanitation, projects for improvement of— ... 98
sanitary staff of municipalities, duties of the— ... 265

PAGE.

QUESTIONS *re—contd.*

Sarail Ward's Estates, defalcation in the— ... 1319
Saraswati, desecration of an image of— 664
Saraswati, desecration of the image of—by Mr. A. B. Johnston 596
Saraswati Puja holiday 93
Satyendra Mohan Sen, an internee 517
Satyendra Mohan Sen, the case of one—, an internee 517
Saugor *mela*, sanitary measures at— 108
scheme for constructing public buildings ... 681
scholarships, number of—obtainable by students ... 269
secondary and primary schools, selection of text-books for— 265
secondary education, improvement of— 1375
Secretary to the Madaripur Central Bank, alleged high-handedness of the Subdivisional Officer *re* appointment of a— 678
Secretary to the Madaripur Central Bank, information *re* appointment of a— 502
Secretary of State *versus* the Maharajadhiraja Bahadur of Burdwan 90
Serampore and Bansberia, Municipal Administration of— 90
Serampore, expansion of the Government Weaving Institute at— 1405
Sericultural Department, scheme for the re-organization of the— 1410
Settlement Officer, provision of private quarters for— 1401
Shaju Khatun, the case of— 588
Sibpur College, mechanical and electrical students of Eastern Bengal studying at— 930
small-pox, indigenous system of treatment of— ... 303
spinning and weaving, development of the indigenous system of— 1296
St. Andrew's Church, offending sermon at— ... 119
steamers running without lights at night on certain routes 1112
stegomyia inquiries, expenditure on— 925
stegomyia inquiry, progress of— 966
Sub-Deputy Collectors and their duties 586
Sub-Deputy Collectors holding listed appointments in the Provincial Executive Service 586
Sub-Deputy Collectors, management of Government estates by— 586
Sub-Deputy Collectors, services of—in recruiting and other work during the war 586
Sub-Deputy Magistrates, proposal to confer first class powers on selected— 585
Sub-Deputy Magistrates, vesting of—with first class and other powers 583
Subdivisional Officer, alleged high-handedness of the—*re* appointment of a Secretary to the Madaripur Central Bank 282
Sub-Inspector of Police, allegations against—of Rangpur 680
Sub-Inspector of Police, compensation for alleged malicious prosecution by a—of Dinajpur ... 575

PAGE.

QUESTIONS *re—contd.*

Subordinate and Lower Subordinate Educational Services, revision of the pay and prospects of the— 1205
Subordinate and Lower Subordinate Educational Services, re-organization of the— 1209
Subordinate Civil Service, collection of opinions in connection with the recruitment of the— ... 587
Subordinate Civil Service, members of the—, and charge of important Revenue Departments ... 582
Subordinate (and Provincial) Civil Service, duties of the members of the— 582
Subordinate Civil Service, recruitment of the— ... 587
Subordinate Educational Service ... 1090, 1104, 1105
Subordinate Educational Service, promotions and prospects of officers in the— 1223
Subordinate Educational Service grades and other grades, officers of the— 1307
Subordinate Educational Service, postings and promotions to grades I to IV of the— 1306
Subordinate and Lower Subordinate Educational Service, reorganization of the— 1105
Sub-Registrars, pay of— 1236
Syedpur Trust Estate, educational grants made under the— 1378
Tagore, Kt., loan to the Maharaja Bahadur Sir P. C.— 1321
tanning materials, report of the tanning expert on the— obtainable from the Sundarban forests ... 1399
teachers, Imperial recurring grant for improvement of pay and training of— 599
technical education, advancement of—in Bengal ... 1300
technological institution, establishment of a—in Calcutta 1305
text-books, selection of—by the Chittagong District Board 284
text-books, selection of—by district boards ... 283
third-class female passengers and second-class passengers, accommodation in certain steamers for— ... 941
Tippera and Noakhali, cost of construction of a building for the office of the Settlement Officer of— 1401
Tippera and Noakhali, particulars about the construction, etc., of a building occupied by the Settlement Officer of— 1400
toll collectors on Bengal canals 967
Tolly's Nulla, pollution of—from discharges of Russa Distillery 1102
tuberculósis, mortality from—in municipal and rural areas 924
typists, raising of the pay of—serving under heads of departments attached to the Bengal Secretariat 1098,
unclaimed deposits, details as to crediting of— ... 681
undefended accused, defence of—in sessions cases ... 926
Under-Secretaries and Officers of Government, move of—to Darjeeling and Dacca 1123
Victoria and Dow Hill Schools 682
Victoria and Dow Hill Schools, reorganization of the— 1382
Victoria School (Kurseong), alleged lack of medical attendance in the— 1164

PAGE.

QUESTIONS *re—concld.*

village sanitation, application of the principle of co-operation to— 1317
Village Self-Government Act, supply of Bengali copies of—in rural areas 958
Vishnupur, new subdivision at—in the 24-Parganas 914
war allowances to certain officers of Government ... 1210
water-hyacinth, spread of—in Eastern Bengal ... 303
water-supply, measures taken by district boards for providing pure— 502
water-supply, registers of— 307
water-supply, relaxation of the rule *re* contribution of one-third of the cost of— 308
Waterways Trust 929
waterworks in Bengal 1289
weaving industry, organization of the—on co-operative lines 1317
weaving schools in Bengal 1096
wood-pulp, etc., leasing of forests for the extraction of— 1410

R

RABI FOOD CROPS—

See Questions.

RAHMAN, HON'BLE MR. AMINUR—

spoke to resolution *re*—

Provincial Civil Service, judicial branch of the— ... 230

RAI KUMUDINI KANTA BANERJI BAHADUR—

See Questions.

RAIYATS, SUFFERINGS OF—

See Questions.

RAJSHAHI COLLEGE—

See Questions; Resolutions.

RANGAMATI HIGH ENGLISH SCHOOL—

See Questions.

RANGOON RICE—

See Questions.

RAY, HON'BLE BABU BHABENDRA CHANDRA—

asked questions *re*—

admission of poor students in primary schools, Bombay Government's orders as to— 23
Agriculture, establishment of a Board of—in Bengal 270
agricultural statistics, accuracy of— 1227
alleged deaths from starvation 1119
Bengal, decision to treat—as a surplus province ... 1228
Bengal Home Industries Association, grants to— ... 682

PAGE.

RAY, HON'BLE BABU BHABENDRA CHANDRA—*contd.*

asked questions *re*—

Bhairab, improvement of the water-course of the— ... 111
B. Pal Chaudhuri, bequest of Mr.— 958
Budget estimate of 1919-20, particulars of probable savings under the head "Education" in the— ... 600
Burma rice, consumption and sale of— 1282
Burma rice, licensed importers of— 1112
Burma rice, rates of— 1113, 1231
cess revaluation proceedings 110
chairmen, official and non-official—of district boards 112
chaukidari assessment, statistics as to— 24
Chittagong and Midnapur brine, suitability of the—for the manufacture of salt 601
dacoities, outbreak of— 306
Dakshina Ranjan Ghose, the case of Sub-Inspector—... 1128
Director of Civil Supplies, duties of the— 1109, 1229
Director of Civil Supplies and the Collector of Customs, relations between the— 1230
District Board of Burdwan, appointment of a District Engineer by the— 268
District Board dispensaries 959
East Bengal, the cyclone in— 1324
East, demand of security from the newspaper, the—... 1121
education, grants by the Government of India for— 955
irrecoverable temporary loans 680
estimated excess of capital expenditure for police purposes over the assignment 681
food-grains, normal requirements of Bengal in—for human consumption 1225
food-grains, opening of stores for the supply of— 23, 957
food-grains, retail prices of—in the *mufassal* ... 23
food-grains, surplus of—in normal years ... 1226
food-grains, total production of—in Bengal during the last five years 1226
food-supplies, conferences held at Nagpur and Delhi on the question of— 1228
grants-in-aid rules, revision of the— 23
high school students, ineligibility of certain—for junior Matriculation scholarships 1224
"Home girls" scheme 682
Indian station hospital, prosecution of two employees of the—at Alipur. 1123
Industries, Provincial Department of— 958
internees, unconditional release of certain— ... 959
Kalimpong, development of— 681
Kalimpong, development of—as a hill-station ... 1322
Khulna-Bagerhat Railway 1323
Local Self-Government, collection of opinions of district boards on the Government of India Resolution on— 112
Local Self-Government, resolution on— 958
medical relief, extension of—in rural areas 1125, 1234
ministerial officers, rates of pay of—of Civil and Criminal Courts 113

PAGE.

RAY, HON'BLE BABU BHABENDRA CHANDRA—*contd.*

asked questions *re*—

open-air schools, system of— 514
Pal Chaudhuri, bequest by the late Mr. B.—for the establishment of primary schools 597
persons interned, particulars as to—at their homes 515
political prisoners, non-official visitors to— ... 959
primary education in municipal areas 1112
primary schools, control of Government over aided and unaided— 269
primary schools, free-studentships in— ... 22, 597
priority certificates, grant of— 1230
Provincial Department of Industries, organization of a— 306
public buildings, scheme for constructing— ... 681
Rangoon rice, wholesale and retail prices of— ... 305
relief measures in connection with present distress 957
rice, alleged export of—for non-food purposes ... 1113
rice consumption 1108
rice, control over the export of— 1110
rice, export of— 1109, 1111, 1112
rice, export of—from Bengal 1229
rice, export and import of— 955
rice stock, census of—in Bengal 1113
rice stocks, census of— 1230
rice to be exported, placing of a maximum limit on the total quantity of—from Bengal ... 1230
rice, total export and import of—in Bengal in 1917-18 1227
rice, treatment of Bengal as a surplus province in the matter of— 1280
salt, manufacture of—by Indians ... 270, 601
Satyendra Mohan Sen, the case of one—an internee 517
scholarships, number of—obtainable by students ... 269
society for the improvement of the backward classes, Government grant to the— 270
Syedpur Trust Estate, educational grants made under the— 1378
teachers, Imperial recurring grant for improvement of pay and training of— 599
unclaimed deposits, details as to crediting of— ... 681
Village Self-Government Act, supply of Bengali copies of—in rural areas 958

moved resolutions *re*—

food-grains, arrangements for the retail sale of—by district boards and municipalities 445
gratuitous relief, provision for— 419

spoke to resolution *re*—

food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1041

PAGE.

RAY, HON'BLE BABU BHABENDRA CHANDRA—*concld.*

withdrew his resolutions *re*—

food-grains, arrangements for the retail sale of—by district boards and municipalities 446

gratuitous relief, provision for— 419

RAY, HON'BLE KUMAR SHIB SHEKHARESWAR—

asked questions *re*—

newspapers, periodicals, etc., started with political aims during the last three years 647

Rajshahi Zamindars, memorial of—*re* postponement of recovery of settlement costs 507

moved resolutions *re*—

land laws of Bengal, examination of— 54

religious lectures in the prisons of Bengal ... 55

spoke to resolutions *re*—

famine relief operations, a lump provision for—in Bankura 416

relief of distress, provision for—owing to high prices of cloth 442

withdrew his resolution *re*—

land laws of Bengal, examination of— 55

RAY BAHADUR, HON'BLE RAI SRINATH—

asked questions *re*—

Dacca College, admission of students into the— ... 1125

Dacca railway station, inadequacy of the waiting-room for female passengers at— 1115

Eastern Bengal areas, establishment of a waterways division for the— 1114

Indian General Navigation and River Steam Navigation Companies, enhancement of the parcel rates of the— 1114

Nawabpur road (Dacca), trouble caused to the public by the constant closing to traffic of the level-crossing on the— 1115

Padma to Dhaleswari, construction of a dam on the proposed new navigable route from— 1114

Secretary of State, *versus* the Maharajadhiraja Bahadur of Burdwan, High Court decision in the case of the— 90-91

steamers running without lights at night on certain routes 1122

spoke to resolutions *re*—

Bhagirathi, pollution of the 64

agricultural college, establishment of an—at Dacca ... 1138

RAY, HON'BLE BABU SURENDRA NATH—

asked questions *re*—

Ghose, Miss Lilabati 973

Howrah station, death of a student in a crush at— ... 1090

Mayo Hospital, alleged dereliction of duty on the part of the doctor in charge of the— ... 1091, 1287

medical examination, schools for—in the vernacular 284

Public Health Service, provincializing the— ... 1312

sanitary officers, formation of a separate cadre for— 1312

PAGE.

AY, HON'BLE BABU SURENDRA NATH—*concld.*

asked questions *re*—

text-books, selection of—by the Chittagong District Board 284

text-books, selection of—by district boards ... 283

moved resolutions *re*—

admission to colleges, appointment of a committee to inquire into the difficulties of students in securing— 1241

cyclone in Eastern Bengal, grant of funds from the Imperial Government to alleviate the distress caused by the recent— 1330

Dacca School of Engineering, improvement of the status and condition of the— 1172

Government Colleges in Bengal, accommodation of successful candidates in— 1153

Provincial Civil Service, judicial branch of the— ... 223

Subordinate Civil (Executive) Service, improvement of— 1058

spoke to resolutions *re*—

Arabic and Persian, suitable provision for the teaching of—in schools and colleges 1165

cows in Bengal, improvement of— 40

famine relief operations, a lump provision for—in Bankura. 414

food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1033

land values and high rents in Calcutta, appointment of a commission to inquire into the causes of the excessive— 1268

medical schools, provision for additional—in Calcutta or suitable *mufassal* districts 432

primary education, provision for the spread of— ... 421

riparian municipalities, water-supply, etc., of the—in the vicinity of Calcutta 491

Sinha, conveying of thanks to King-Emperor for the appointment of Hon'ble Sir S. P.—as the first Indian Minister of the Crown 36

withdrew his resolutions *re*—

admission to colleges, appointment of a committee to inquire into the difficulties of students in securing— 1254

Dacca School of Engineering, improvement of the status and condition of the— 1176

Provincial Civil Service. judicial branch of the— ... 238

AY CHAUDHURI, HON'BLE BABU BROJENDRA KISHOR—

asked questions *re*—

agricultural education, scheme of—in Bengal ... 501

Amta Drainage Basin, *Zamindars* of— 933

Amta Drainage Scheme, Drainage Commissioners and— 932

arts colleges, admission of candidates into the different classes of the— 1312

Bengal Legislative Council (1914—18), resolutions carried in the— 99

Board of Agriculture, action on the recommendations of the— 497

PAGE.

RAY CHAUDHURI, HON'BLE BABU BROJENDRA KISHOR—*contd.*

asked questions *re*—

Calcutta Customs Preventive Service, appointment of Indians to the— 1383
Calcutta fish trade, monopoly of the— 1316
Calcutta Medical College, admission of students into the— 1107
cane sugar, the enquiry into the prospects of— ... 1319
cattle census, scheme of— 676
children, medical inspection of— 1128
Chittagong forest, lease of a—for paper-pulp manufacture— 928
Chittagong Port, management of— 930
clerks in offices of Civil Surgeons, scale of pay of— ... 18
cloth, rise in the prices of— 18
co-operative milk stores 1318
co-operative societies in Bengal— 1318
co-operative stores 1318
Court of Wards, estates under—and Government management 1117
Court of Wards, management charges of the estates under the— 500
Dacca and Maynamati Survey Schools at— ... 1096
Dacca Central Jail, influenza in— 933
Dacca District Board, resolutions *re* communications in that district 501
Dacca Division, proposed railway lines in the— ... 1385
Dacca Division, river improvement in— 928
Dacca Nawab's Estate, dismissal of officers employed in the— 1319
Dacca, public meeting at—*re* difficulties of communication in the district 268
Dacca School of Engineering 929
Dacca School of Engineering, Electrical and Mechanical Engineering courses at the— 929
Dacca School of Engineering, improvement of the— ... 98
Dacca School of Engineering, proposals for developing and improving the— 929
Darjeeling, charcoal supply in— 1127
Darjeeling-Himalayan Railway, through 3rd class tickets on the— 1384
date *gur* and sugarcane investigations at Dacca farm 928
Department of Fisheries 1315
Deputy Conservator of Forests, allegations against Mr. Baker— 1208
dhoti, price of certain specimens of— 96
Director of Public Instruction, extensions of service to clerks in the office of the— 1118
Drowning of a young student near Goalundo ... 20
education, spread of—among women 1127
Eastern Bengal, provision of proper meteorological arrangements in— 1322
estates under the Court of Wards, examination of accounts of certain— 1322
fish-curing industry, etc., prospects of the— ... 1315

PAGE.

RAY CHAUDHURI, HON'BLE BABU BROJENDRA KISHOR—*contd.*

asked questions *re*—

fishermen, alleged demand of gratuities by railway servants from— 1317
fishermen, co-operative societies among— 1316
food-stuffs, economic distress caused by the abnormal prices of— 499
Forest Department, appointments in the— ... 1384
Goalundo Ghat, waiting accommodation at— ... 931
Government estates, progress of literacy and agricultural improvement in the—in the Dacca division 499
Government High Schools, improvement of the staff and increase of pay of teachers in— 1105
Government High Schools, improvement of the pay of teachers in— 1385
Government High Schools, improvement of staff and increase of pay of teachers in— 1386
Government Schools, improvement of the lot of teachers in— 1106
hand-loom and other industries 675
High Court, alleged suggestions by the —as to petitions, plaints, etc., in *mufassal* Courts being only in English 501
Hindu girls' education 931
high prices, number of memorials and representations made to Government owing to the prevailing— 1210
Hindu girls' education, progress of the committee on the future organization of the— 577
"Home school" for girls 932
hygienic conditions of school and college buildings, special officer to enquire into— 675
Imperial grants, non-utilization of—for education ... 926
Indian boys, training of—in railway workshops ... 502
Indian Police Officers and keeping of revolvers ... 934
industries, development of— 932
industries started in Bengal since the outbreak of the war 497
influenza epidemic 15
industrial and technical schools for females independent of missionary control 1098
jute and paddy, supply of seeds of—to cultivators ... 95
kala-azar in Eastern Bengal, special enquiry into the prevalence of— 15
kala-azar survey, nature and scope of the— ... 674
khals, progress in the re-excavation of certain— ... 266
local taxation, particulars of—imposed by union committees (1917-18) 267
Mathurapur, closing of the Middle English School at— 1383
Mathurapur, closing of the charitable dispensary at— 1320
Mathurapur Ward's Estate 1320
mortality of infants under one year in Bengal ... 500
Munsifs' Courts, number of civil suits disposed of by—in the Mymensingh district 266
Mymensingh-Bhairab Railway, grievances of the public travelling on— 499
needlework and domestic economy, teaching of—in girls' high and middle schools 674

PAGE.

RAY CHAUDHURI, HON'BLE BABU BRAJENDRA KISHOR—*concld.*

asked questions *re*—

paper-pulp experiments from bamboo 927
piece-goods merchants' contracts with British manufacturers 18
piece-goods, sale and prices of, resolution by the Marwari Chamber of Commerce as to— ... 18
primary education in Bengal 302
Prodyot Kumar Tagore, Kt., estate of the Maharaja Sir— 1207
Prodyat Kumar Tagore, Kt., loan to the Maharaja Bahadur Sir— 1321
public health, expenditure on—in municipalities ... 107
Public Works Department, etc., call for tenders by the— 95
Public Works Department, Upper Subordinate Service of the— 1208
railway lines, opening of certain— 1385
relief measures, high prices and— 934
religious Endowment Committee 663
rice, supply of—in the districts of Dacca, Mymensingh and Tippera 1210
Sabour Agricultural College, Bengali students of and Government contribution towards— 498
sanitation, Government policy *re*—in rural areas ... 267
sanitary staff of Municipalities, duties of the— ... 265
sanitation, projects for improvement of— .. 98
Sarail Ward's Estate, defalcation in the— ... 1319
Saraswati, desecration of an image of— 664
Saugor *mela*, sanitary measures at— 108
secondary and primary schools, selection of text-books for— 265
Sibpur College, mechanical and electrical students of Eastern Bengal studying at— 930
small-pox, indigenous system of treatment of— ... 303
stegomyia inquiries, expenditure on— 925
Subordinate and Lower Subordinate Educational Service, reorganization of the— ... 1209, 1105
Subordinate Educational Service ... 1104, 1105
undefended accused, defence of—in Sessions cases ... 926
tuberculosis, mortality from—in municipal and rural areas 924
village sanitation, application of the principle of co-operation to — 1317
war allowances to certain officers of Government 1210
water-hyacinth, spread of—in Eastern Bengal ... 303
Waterways Trust 929
weaving industry, organization of the—on co-operative lines 1317
weaving schools in Bengal 1096

spoke to resolution *re*—

cloth and food-stuffs (high prices of), taking of steps in connection with the— 254

PAGE.

3F MEASURES—
See Questions.

HOUS ENDOWMENT COMMITTEES—
See Questions.

HOUS LECTURES IN THE PRISONS OF BENGAL—
See Resolutions.

LUTIONS *re*—
admission to colleges, appointment of a committee to inquire into the difficulties of students in securing— 1241
agricultural college, establishment of an—at Dacca 1136
Amta and Uluberia, the sufferings of the agriculturists of— 58
Amta Drainage Project 58
Arabic and Persian, suitable provision for the teaching of—in schools and colleges 1165
Assistant Surgeons in the Presidency, improvement of the pay and prospects of the— 1415
Bhagirathi, pollution of the— 59
Board of Trustees, appointment of a Marwari member on the—in connection with the Barabazar Improvement schemes 1079
Burdwan district, provision for mitigating the effects of the floods of the Ajai in the— 467
Burdwan Municipality, removal of the name of the—from the First Schedule to the Bengal Municipal Act, 1884 1346
Calcutta and Dacca, improvement of communication between— 1191
Calcutta Improvement Act, 1911, taking into consideration the amendment of the— ... 1010, 1019
Calcutta Medical College, appointment of an Inquiry Committee in connection with admission of candidates into the— 1154
Calcutta Improvement Trust, appointment of an expert in town-planning as the Chairman of the— 1257
clerks drawing Rs. 100 or less per mensem, grant of allowance to—serving under Government ... 154
cloth and food-stuffs, high price of—, taking of steps in connection with the 251
compounders, improvement of the pay and prospects of the—in Government hospitals 1417
connection of Barisal with Calcutta by rail ... 1189
Court language, dropping of the proposal of making English the—in Subordinate Courts 1186
cows in Bengal, deterioration of and means of improving— 38
cyclone in Eastern Bengal, grant of funds from the Imperial Government to alleviate the distress caused by the recent— 1330
Dacca Medical School, provision for raising the—to the status of a Medical College 436
Dacca School of Engineering, appointment of an Inquiry Committee in connection with the abolition of the electrical and mechanical classes of the— ... 1176

PAGE.

RESOLUTIONS *re—contd.*

Dacca School of Engineering, improvement of the status and condition of the— 1172
détenus interned in Bengal, setting free of— ... 73
district administration 49
district boards and municipal charitable dispensaries, grant to—for the introduction of the Ayurvedic system of medicine 493
Eastern Bengal districts, proper and effective representation of the, —on the Legislative Council to be formed under the Reform Scheme 1193
Eden Hospital, extension of the— 406
Epiphany newspaper, taking of proper steps against the person or persons responsible for the publication of the— 561
extension of service, grant of— 1194
famine relief operations, a lump provision for—in Bankura 410
Faridpur, provision for the construction of the proposed record-room at— 463
Final Licentiate Examination of the State Medical Faculty (November 1919), permission to appear at the— 1073
food-grains, arrangements for the retail sale of—by district boards and municipalities 415
food-stuffs, remedial measures for alleviating distress due to rise in the price of— 1031
Government Colleges in Bengal, accommodation of successful candidates in— 1153
Government Colleges, accommodation of successful students in— 1240
Government pensioners, payment of the monthly pensions of—by postal money-order 1413
Government Colleges in Bengal, accommodation of successful students in— 1153
Government of Bengal, investigations *re* possibility of increasing the income of the— 553
gratuitous relief, provision for— 419
Hastings School (Alipore), appointment of a committee to inquire into the working of the— ... 1146
hospitals of Calcutta, improvement of medical services in the— 402
Howrah College, grant out of the current year's budget to the promoters of the proposed— ... 1254
hygiene and sanitation, teaching of—in all schools 238
Indian, appointment of an—as the Director of Agriculture for Bengal 1131
irrigation tanks, improvement, etc., of—in Bengal 1343
jurors in the *mufassal*, selection of properly qualified persons as— 1185
land laws of Bengal 54
land values and high rents in Calcutta, appointment of a commission to inquire into the causes of the excessive— 1265
lecturers of first grade colleges, improvement of salary of the— 475
leprosy in Calcutta 1002

PAGE.

OLUTIONS *re—contd.*

Malda, establishment of a Sub-Judge's Court at— ... 565
Medical College, Calcutta, and Belgatchia Medical College, accommodation in the— 246
medical schools, provision for additional—in Calcutta or suitable *mufassal* districts 430
ministerial officers in Government offices, raising the initial pay of the—to Rs. 40 a month 1180
model dairies, starting of— 447
Muhammadan Arts College, establishment of a—at Dacca 1156
Muhammadan boys, special scholarships for— ... 470
Muhammadan students, provision of hostels for— ... 448
Maynamati Survey School, dropping of the proposal for abolishing the 1st year class of the— ... 1412
Panchayati Union Schools, provision for extension of— 473
Police Courts in Calcutta, location of the—in one building 1064
polytechnic college, establishment of a—at Calcutta 562
Port Commissioners' lands in Calcutta lying north of Howrah Bridge 1024
primary education, provision for extension of—within the municipal limits of Calcutta ... 478
primary education, provision for the spread of— ... 420
primary scholarships, additional grant for the provision of— 425
principals of colleges in Bengal, a conference of the —to consider the recommendations of the Calcutta University Commission 1367
professors and lecturers in colleges, appointment of qualified and suitable Muhammadans as— ... 1161
Provincial Civil Service, judicial branch of the—; reorganization of the— 223
Public Services Commission, recommendations of the—, discussion of the 220
Rajshahi College, improving the professorial staff of and opening M. A. and B. L. classes in the— ... 1359
relief of distress, provision for—owing to high prices of cloth 441
religious lectures in the prisons of Bengal ... 55
riparian municipalities, water-supply, etc., of the—in the vicinity of Calcutta 489
section 110, Criminal Procedure Code, issue of instructions to Magistrates in regard to the trial of cases under— 1186
Sinha, conveying of thanks to the King-Emperor for the appointment of Hon'ble Sir S. P.—as the first Indian Minister of the Crown 35
State Medical Faculty Examination, permission to all practitioners who passed from non-recognized medical institutions to appear in— 68
Subordinate Civil (Executive) Service, improvement of— 1058
teachers in primary schools, increasing the pay of— 468
typists in the offices of the Director of Public Instruction and Inspector-General of Police, placing of—on a footing of equality with the Bengal Secretariat typists *re* pay and prospects 1340

RESOLUTIONS *re—concld.*

Victoria and Dow Hill Schools at Kurseong, appointment of a committee for recommending steps for the improvement of the— 1075

war allowance for six months, grant of 10 per cent.—to Government servants drawing not more than Rs. 100 a month 1177

resources of the country 965

REVISED FINANCIAL STATEMENT 321

RICE—

See Questions.

RIPARIAN MUNICIPALITIES—

See Resolutions.

S

SABOUR AGRICULTURAL COLLEGE—

See Questions.

SALT—

See Questions.

SANDWIP—

See Questions.

SANITATION—

See Questions.

SARBADHIKARI, HON'BLE SIR DEBA PRASAD—

asked questions *re*—

Bengal Juvenile Smoking Act 1090

Bengal Village Self-Government Act 1090

Provincial Judicial Service 1089

Subordinate Educational Service 1090

moved resolution *re*—

Sinha, appointment of Sir S. P.— 35

spoke to resolutions *re*—

agricultural college, establishment of an—at Dacca ... 1139

Arabic and Persian, suitable provision for the teaching of—in schools and colleges 1167

Government Colleges, accommodation of successful students in— 1251

Hastings School (Alipore), appointment of a committee to inquire into the working of the— ... 1151

leprosy in Calcutta 1010

Malda, establishment of a Sub-Judge's Court at— ... 569

Medical College, Calcutta, and Belgatchia College, accommodation in the— 248

Provincial Civil Service, judicial branch of the— ... 231

SARKAR, HON'BLE SIR NILRATAN—

asked question *re*—

child-welfare, scheme regarding— 509

PAGE.

SARKAR, HON'BLE SIR NILRATAN—*concld.*

moved resolution *re*—

Eden Hospital, extension of the— 406

spoke to resolutions *re*—

Dacca Medical School, provision for raising the—to the status of a medical college 438

Medical College, Calcutta, and Belgatchia Medical College, accommodation in the— ... 247, 249

State Medical Faculty Examination 69

withdrew his resolution *re*—

Eden Hospital, extension of the— 409

SAUGOR MELA—

See Questions.

SCHOLARSHIPS—

See Questions.

SECONDARY AND PRIMARY SCHOOLS.

See Questions.

SHAJU KHATUN ARREST CASE 1237

See also Questions.

SIBPUR COLLEGE—

See Questions.

SINGHA, HON'BLE MR. ARUN CHANDRA—

asked questions *re*—

cloth, high prices of—in Bengal 972

food-crops, supply to Civil Courts of price-lists of staple— 1235

Noakhali district, removal of headquarters of the— ... 971

rice and other food-stuffs, rise in the price of—in Bengal 972

Sandwip, telegraphic communication with the island of— 117

SMALL-POX—

See Questions.

ST. ANDREW'S CHURCH—

See Questions.

STATE MEDICAL FACULTY EXAMINATION—

See Resolutions.

STATEMENT OF PERCENTAGES OF RISE IN THE PRICES OF ARTICLES OF FOOD IN DIFFERENT COUNTRIES 1050

STEGOMYIA—

See Questions.

SUBORDINATE EDUCATIONAL SERVICE—

See Questions.

PAGE.

T

TUBERCULOSIS—
See Questions.

V

VICTORIA AND DOW HILL SCHOOLS—
See Questions; Resolutions.

W

WATER-HYACINTH—
See Questions.

WATERWAYS TRUST—
See Questions.

WATER-SUPPLY—
See Questions.

WATERWORKS IN BENGAL—
See Questions.

WEAVING SCHOOLS OF BENGAL—
See Questions.

WOOD, HON'BLE MR. W. H. H. ARDEN—
asked question *re*—
Calcutta Commercial Institute, appointment of a Principal for the— 121

B. S. Press—8-4-1920—4173J—350—H. L. P.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 21st January, 1919, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MAJOR-GENL. W. H. B. ROBINSON, C.B., I.M.S.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. C. H. BOMPAS, C.S.I.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR, M.B.O.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. J. MACKENZIE, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E., C.B.E.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

DEATH OF THE LATE Mr. EDEN.

e PRESIDENT said :—

"Gentlemen, since the Council last met we are the poorer by the death one of our members, the late Mr. Eden. I feel sure that it will be your sh that there should appear upon the records of our proceedings a few rds marking our sense of the loss which we have sustained.

For nearly 40 years the deceased gentleman, lived and worked in lcutta, and during that time he was connected with, and took an active rt in, the public life of the city which he had made his home. He was a minent member of the Calcutta Trades Association which he served in the pacity of Master in 1903-04 and as Honorary Treasurer from 1916-18. He s appointed a Presidency Magistrate in Calcutta in 1901 and served the city a Municipal Commissioner from 1900 to 1903. In 1909-10 he gave ther proof of his readiness to shoulder his share of work and responslity on behalf of the public by serving as a Port Commissioner, and 1916 he became a member of this Council. He died in harness swept from r midst with startling suddenness and we deeply deplore his loss. As a mber of this Council he was always conscientious and unassuming, courts and sincere, and it is indeed with feelings of deep sorrow that I contemte our loss."

e Hon'ble Mr. CARTER said :—

"I should like to associate the members of the mercantile community in e sincere regret which Your Excellency has expressed in the sudden death our colleague, Mr. Eden. I have probably known Mr. Eden longer than st of the members of the Council, and I feel that in his death I have lost a l friend. He was a man of sterling qualities and held very decided views; appeared at times to those who did not know him somewhat rough in his nner, but he was a warm-hearted and firm friend, and candid in his inions. He did not often rise to speak in this Council but, when he did, his bject had been carefully prepared, and his remarks were forcible and to the int. The European members of this Council have lost a firm supporter at a e when they can least afford to lose one of their members. Mr. Eden took prominent part in the affairs of this city, and was also a keen shikari and lfer. He had been a resident of Calcutta for nearly forty years, and after ny years of hard work he was just coming to the time when he had laid his siness on a firm foundation and was looking forward to a few years of rest. s son, I am sure, will follow in his father's footsteps, as he has already de his mark on the battlefields of East Africa; to him and to his widowed ther we offer our sincere sympathy."

e Hon'ble Mr. P. C. MITTER said :—

"My lord, I desire to associate myself with the remarks with regard to e death of the Hon'ble Mr. Eden. Although on many points the late . Eden and I did not see eye to eye yet I was always assured that he proached every question with an open mind. My lord, I do not desire to d to my remarks. I have only to conclude by saying that this Council doubtedly feels a sad loss in the death of the Hon'ble Mr. Eden."

LIST OF BUSINESS—Item No. 1.

STARRED QUESTIONS.

he following questions which had been starred were put and answered :—

r the Hon'ble Babu Ambika Charan Mazumdar:—

***1.**

(*a*) Are the Government aware that an organization called the Indian vil Service Association has been formed in this country? What are the

The Indian Service Association

aims and objects and constitution of this Association? Where is its head office and who are its office bearers?

(*b*) Are the Government considering the desirability of making a thorough inquiry into the above matter and of issuing an official *communiqué* on the subject?

Answer by the Hon'ble MR. KERR:—

"(*a*) The Indian Civil Service Association was formed in Bengal in 1894. The objects of the Association are—

(1) to deal with questions affecting the interests of the Indian Civil Service as a body;

(2) to promote unity among its members; and

(3) to ascertain and formulate the views of the Indian Civil Service on matters in connection with which, in the opinion of the Association, a knowledge of the views of the Service would be useful to Government.

After the territorial readjustments of 1912, a separate branch of the Association was formed in Bihar and Orissa. Membership of the Bengal Branch is open to all officers of the Indian Civil Service serving in Bengal and Assam. There are at present 130 members of the Bengal branch, of whom eleven are Indians. The Association has no regular office. Its affairs are managed by a General Committee of five members elected annually. The members of the existing Committee are—

Mr. K. C. De.

Mr. A. H. Cuming.

Mr. H. P. Duval.

Mr. A. J. Chotzner.

Mr. J. A. L. Swan.

Mr. H. M. Veitch is the Honorary Secretary.

(*b*) In view of the information given in this reply, Government do not consider it necessary to issue a *communiqué* on the subject."

By the Hon'ble Babu Ambika Charan Mazumdar:—

***11.**

nment and vement of n ational es.

(*a*) Have the Government of Bengal made any use of the 9 *lakhs* of rupees granted by the Government of India for the improvement of the salaries of the teachers of the Upper and Lower Subordinate Educational Services and their training? If so, how has the money been distributed?

(*b*) Have the Government submitted the scheme which they proposed for the improvement of the Upper and Lower Subordinate Educational Services? If so, will the Government be pleased to lay the scheme on the table?

(*c*) Can the Government state approximately the period within which the scheme is likely to be given effect to?

(*d*) Is it a fact that a sum of about Rs. 3 *lakhs* has been recommended for the improvement of the salaries of the two services? If so, has any portion of the money been utilised for the purpose?

(*e*) If for any reason Government are unable to give effect to their scheme immediately, are the Government considering the advisability of granting the teachers in these two services certain provisional allowances out of the sum provided for the scheme so as to enable them to tide over the difficulties of the present situation?

(*f*) Do the Government propose to raise the minimum pay of the Provincial Educational Service to at least Rs. 250 a month? If not, are they considering the advisability of granting some compensation to the few Headmasters who have been promoted to that service?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) The suggestion that the Government of India have made a grant of 9 lakhs for the improvement of the salaries of the teachers of the Subordinate Educational Service and Lower Subordinate Educational Service and their training is not correct. The grant has been made for the improvement of the training and pay of teachers in primary and secondary schools in the Bengal Presidency, which is a very different matter, inasmuch as the great majority of the teachers in those schools are not Government servants and do not belong to the Subordinate Educational Service or the Lower Subordinate Educational Service.

(*b*) It was explained in the Hon'ble Sir S. P. Sinha's speech at the meeting of the Bengal Legislative Council held on Tuesday, the 20th November, 1917, that an inquiry would be made into the question of the reorganisation of the Subordinate Educational Service and the Lower Subordinate Educational Service as soon as possible after the pay of the Provincial Educational Service and the grades thereof had been fixed. The question of the reorganisation of the higher services of the Education Department is now under the consideration of the Government of India in connection with the recommendation of the Public Services Commission. Till orders on that question are passed no scheme for the improvement of the Subordinate Educational Service and the Lower Subordinate Educational Service can be elaborated.

(*c*) In view of the reply to (*b*), no answer to (*c*) is called for.

(*d*) No sum has been recommended for the improvement of the salaries of the two services, but recommendations have been made for improving Government high schools at an estimated cost of a little over 3 lakhs. If these recommendations are accepted the Subordinate Educational Service and the Lower Subordinate Educational Service will be improved to some extent.

(*e*) In view of the above replies, this question does not arise.

(*f*) The Hon'ble Member is referred to the last sentence of the reply to (*b*). It is not proposed to raise the minimum pay of the Provincial Educational Service or to grant compensatory allowances to headmasters promoted to that service pending the receipt of orders on the recommendations of the Public Services Commission."

By the Hon'ble Babu Ambika Charan Mazumdar:—

***111.**

Is it a fact that the Inspector of Schools, Dacca Division, has issued an order to the effect that 50 *per cent.* of admissions in each class of Government high schools should be reserved for Muhammadan boys and that the remaining 50 *per cent.* should be open to competition between Hindu and Muhammadan students at the time of admission? Restric admiss Goverr high sc the Da Divisio

Answer by the Hon'ble MR. O'MALLEY :—

" In resolution No. 1227 Edn., dated the 3rd August, 1916, recorded by this Government on the report of the special committee for the improvement of Muhammadan education, it was stated that a definite percentage of places should be reserved in each Government high school for Muhammadan pupils, the percentage being determined with reference to the proportional strength and educational requirements of the Muhammadans in the district. A percentage was accordingly fixed by Government for each high school in consultation with the Director of Public Instruction, who issued orders on the subject in his circular No. $\frac{162}{1M-46\ B-18}$, dated the 2nd October, 1918. A copy of the circular is laid on the table. It will be seen that the number of vacancies reserved in the Dacca Collegiate School and Armenitola High School is 30 *per cent.*, and in the other Government high schools under the Inspector of Schools, Dacca Division, 50 *per cent.* It will also be seen that the unreserved vacancies are first to be filled up by open competition, and that in working up to the prescribed percentage Muhammadans who have secured unreserved vacancies are to be taken into account."

Circular referred to in the answer by the Hon'ble Mr. O'Malley to question No. III (starred) asked by the Hon'ble Babu Ambika Charan Mazumdar at the Council meeting of the 21st January, 1919.

GOVERNMENT OF BENGAL.

EDUCATION DEPARTMENT.

CIRCULAR No. $\frac{162}{1M-46B-18}$.

FROM THE HON'BLE MR. W. C. WORDSWORTH, M.A.,

Offg. Director of Public Instruction, Bengal,

TO ALL DIVISIONAL INSPECTORS OF SCHOOLS (WITH SPARE COPIES FOR ADDITIONAL AND ASSISTANT INSPECTORS OF SCHOOLS, INCLUDING ASSISTANT INSPECTORS OF SCHOOLS FOR MUHAMMADAN EDUCATION, AND HEAD MASTERS OF GOVERNMENT HIGH AND ZILLA SCHOOLS UNDER THEM); AND PRINCIPALS OF THE DACCA TRAINING AND PRESIDENCY COLLEGES (WITH SPARE COPIES FOR HEAD MASTERS OF GOVERNMENT HIGH SCHOOLS UNDER THEM).

Calcutta, the 2nd October, 1918.

SIR,

IN modification of this office circular No. 7, dated 13th January 1916, the following rules are laid down for the guidance of Head Masters in order to systematize the methods of admission in Government Zilla and High Schools. The rules will take effect from January, 1919 :—

(*a*) AS soon as promotions are announced a list showing the probable number of vacancies in each class should be posted on the school notice board.

(*b*) Applications for admission should reach the Head Master not later than 5th January each year.

(*c*) Applications should be duly entered in a register in order of their receipt.

(*d*) A certain percentage of vacancies as detailed in the annexed statement must be reserved for Muhammadans.

(*e*) A written admission test in all cases should be held not later than 7th January.

(*f*) If applications from Muhammadans for all the reserved vacancies have not been received by the Head Master by the date fixed the remaining vacancies shall be open to boys of other communities.

(*g*) The vacancies not reserved shall first be filled by the most successful candidates (Hindu and Muhammadan) at the admission test.

(*h*) The reserved vacancies shall then be filled by Muhammadans coming next to the Muhammadans selected under rule (*g*) to the extent required to bring the number of Muhammadans admitted to the school [including those selected under the rule (*g*)] up to the percentage fixed under rule (*d*).

I have the honour to be,

SIR,

Your most obedient servant,

W. C. WORDSWORTH,

Offg. Director of Public Instruction, Bengal.

CIRCULAR No. 163.

COPY forwarded to District Magistrates (including Deputy Commissioners of Darjeeling and Jalpaiguri) for information.

W. C. WORDSWORTH,

Offg. Director of Public Instruction, Bengal.

CALCUTTA :

The 2nd October, 1918.

Statement showing percentages of vacancies to be reserved for Muhammadan students each year.

	NAME OF INSTITUTION.	Percentage of vacancies to be reserved.
		Per cent.
1.	Birbhum Zilla School	24
2.	Bankura ditto	5
3.	Howrah ditto	20
4.	Uttarpara Government High School	6
5.	Hooghly Collegiate School	35
6.	Hooghly Branch School	20
7.	Barrackpore Government High School ...	10
8.	Barasat ditto ditto	33
9.	Taki ditto ditto	17
10.	Nawab Bahadur's Institution, Murshidabad ...	50

	NAME OF INSTITUTION.	Percentage of vacancies to be reserved.
		Per cent.
11.	Krishnagar Collegiate School	51
12.	Jessore Zilla School	62
13.	Khulna ditto	33
14.	Hare School, Calcutta	25
15.	Dacca Collegiate School	30
16	Mymensingh Zilla School	50
17.	Jamalpur Government High School	50
18.	Faridpur Zilla School	50
19.	Barisal ditto	50
20.	Jhalakati Government High School	50
21.	Pirojpur ditto ditto	50
22.	Bhola ditto ditto	50
23.	Armanitola ditto ditto, Dacca ...	30
24.	Comilla Zilla School	50
25.	Noakhali ditto	50
26.	Chittagong Collegiate School	40
27.	Rangamati Government High School ...	10
28.	Rajshahi Collegiate School	50
29.	Dinajpur Zilla School	50
30.	Jalpaiguri ditto	25
31.	Rangpur ditto	50
32.	Bogra ditto	60
33.	Pabna ditto	50
34.	Malda ditto	40
35.	Darjeeling High School	10

Précis.

RESERVATION of seats for Muhammadans in Government Zilla and High Schools.

Index.

ADMISSION to Government Zilla and High Schools—of Muhammadans—Rules regulating—. (*Education Department circulars Nos. 162 and 163, dated the 2nd October, 1918.*)

By the Hon'ble Babu Ambika Charan Mazumdar:—

***IV.**

Imposition of fines on students of the Faridpur *Zila* School.

(*a*) Is it a fact that under orders from the Executive Engineer, Bakarganj Circle, all the boys of the Faridpur *Zila* School have been fined to raise a sum of Rs. 93 to meet the charges of replacing some glass panes alleged to have been broken within a period of four or five years in that school?

(*b*) (*i*) Is there any evidence to show that the glass panes were broken by the boys, and not through natural causes such as hail storm and the wearing out of putty?

(*ii*) Did the school authorities object to this fine being imposed or not?

Answer by the Hon'ble MR. O'MALLEY:—

"(*a*) On 5th May 1918 it was found that 66 panes of glass in the school building were broken. and on the 19th May it was found that 120 more had been broken, bringing up the total number to be replaced to 186. The Executive Engineer suggested that Rs. 93 should be recovered from the boys of the school as part of the cost of replacing the broken panes, and orders were issued accordingly by the Inspector of Schools.

(*b*) (*i*) Government have not got full information, but so far as they re aware there was no hailstorm at Faridpur between the 5th and 19th lay. The putty was examined and found to be hard and in good condition.

(*ii*) The Headmaster protested against the boys being charged for part f the cost of the broken panes."

y the Hon'ble Babu Ambika Charan Mazumdar:—

***V.**

Was it not the practice to notify in the *Calcutta Gazette* all appoint ients and transfers in the Subordinate Educational Service? How long was iis practice in force, and when and why has it been discontinued? Are ie Government considering the desirability of ordering the practice to be estored?

Notificati the *Calcu Gazette* o appointm and trans the Subor Educatior Service.

nswer by the Hon'ble MR. O'MALLEY :—

"Appointments to and transfers in the Subordinate Educational ervice were notified in the *Calcutta Gazette* from 1879 to 1916. This ractice was discontinued in 1916, so far as officers below Class II were oncerned, and in the following year, so far as officers of the first two classes ere concerned, for the reasons stated in the reply given to question No. XXXVII at the meeting held on 7th August, 1917. The desirability of eviving it is under consideration."

y the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VI.**

Will the Government be pleased to state whether the proposals submitted o the Government of India for the improvement of the pay and prospects of econdary and primary school teachers, as announced by the Director of Public nstruction, Bengal, in July 1917, have received their final sanction?

Pay and prospects secondary primary s teachers.

nswer by the Hon'ble MR. O'MALLEY:—

"The sanction of the Government of India has been received to this lovernment's proposals for the improvement of the pay of primary school eachers, but not to those for secondary school teachers."

y the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VII.**

(*a*) Is it a fact that in the Subordinate Educational Service no promotion as been declared since January, 1918, though there are vacancies in all its rades?

(*b*) If so, will the Government be pleased to state the reasons for this?

Promotic officers o Subordin Educatio Service

nswer by the Hon'ble MR. O'MALLEY:—

"(*a*) The answer is in the negative. Promotions in the Subordinate Educational Service from Class V upwards were announced on the 10th December, 1918. Those in the other classes will be declared shortly by the Director of Public Instruction.

(*b*) There was some delay due to the fact that it was considered desirable o defer making promotions till certain schemes, involving the creation of ew posts, had been sanctioned by Government."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***VIII.**

Salary of Munsifs and Deputy Magistrates.

(*a*) Will the Government be pleased to state the reasons for the differ of salary between the last grade of Munsifs and the last grade of Dep Magistrates?

(*b*) What is the difference of salary between the two different gr referred to above?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) The Hon'ble Member is referred to the proceedings of meeting of this Council on the 14th March, 1918, when this question fully discussed."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***IX.**

Duties of the Provincial Judicial Service

Is it a fact that the Provincial Judicial Service was created to perf only duties involving minor responsibilities?

Answer by the Hon'ble MR. KERR :—

"For a description of the functions of this and other provincial c services the Hon'ble Member is referred to the introductory Chapter annexure X of the report of the Public Services Commission. It is there s that 'the provincial civil services * * * have been formed to do the b of the ordinary executive and judicial work of the districts, and to fill minor charges.' In a recent resolution of the 19th November, 1918, it observed by this Government that 'the Provincial Judicial Service formed to fill charges of minor responsibility in the civil judicial administ tion of the province.' The description is relative to the responsibilities charged by others in the same sphere; all functions of judicial courts a of course, responsible within the limits of their jurisdiction."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***X.**

Duties, rank, etc., of the subordinate and higher judiciary.

(*1*) Is it a fact—

(*a*) that the Subordinate Judges are required to perform work of same importance and responsibility as that of the Distr Judges;

(*b*) that the Subordinate Judges do the same kind of work as is done the Judges of the Hon'ble High Court in its ordinary Origi Civil Jurisdiction;

(*c*) that the District Judges do not do the same kind of work as is d by the Hon'ble Judges of the High Court in its ordinary Origi Civil Jurisdiction;

(*d*) that in trying cases above Rs. 5,000 in value, including app cases, the powers of the Subordinate Judges are equal to th of the District Judges in all respects; and

(*e*) that the Subordinate Judges rank higher than Munsifs, and th their jurisdiction is as unlimited as that of the District Judg

(*2*) Are the Government considering the advisability of constituting separate branch of service, for the Subordinate Judges, second only to t District Judges in rank and importance, and of excluding them from the P vincial Judicial Civil Service?

Answer by the Hon'ble MR. DUVAL :—

" (*1*) (*a*) The work they are required to perform is similar only to part of the work of District Judges.

(*b*) Their work is not entirely similar to that of Judges of the Hon'ble High Court in its Original Side.

(*c*) District Judges do some work of the same nature as Hon'ble Judges on the Original Side of the High Court.

(*d*) Yes.

(*e*) Subordinate Judges rank higher than Munsifs. Their jurisdiction is not the same, in all cases, as that of District Judges.

(*2*) The answer is in the negative."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XI.**

Jurisdiction and salaries of Judges of the Calcutta Small Cause Court and other *mufassal* Judges.

(*a*) Is it a fact that the jurisdiction exercised by the Judges of the Court of Small Causes, Calcutta, is inferior to that exercised by the Subordinate Judges in the *mufassal* courts?

(*b*) Is it a fact—

(*i*) that the salaries of the Judges of the Court of Small Causes, Calcutta, vary between Rs. 1,000 and Rs. 2,500 a month;

(*ii*) that the salaries of the District Judges of the Indian Civil Service vary between Rs. 2,000 and Rs. 3,000; and

(*iii*) that the salaries of those recruited from the Provincial Service vary between Rs. 1,200 and Rs. 2,000?

(*c*) Are the Government considering the advisability of fixing the minimum salary of the Subordinate Judges at Rs. 1,000 rising to Rs. 1,500 per month?

Answer by the Hon'ble MR. DUVAL :—

" (*a*) No. The Calcutta Small Cause Court is a court of summary jurisdiction with power to decide finally money suits up to a value of Rs. 2,000.

Subordinate Judges never exercise any summary jurisdiction beyond Rs. 1,000 and usually only try such suits up to a value of Rs. 500. They try other cases of unlimited value subject to appeal.

(*b*) (*i*) (*ii*) and (*iii*) Yes.

(*c*) No. "

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XII.**

Appointment of members of the Provincial Judicial Service to District Judgeships.

(*a*) Is it a fact that the members of the Provincial Judicial Service over the age of 52 years are excluded from District Judgeships?

(*b*) Is it a fact that officers over the age of 52 are considered unfit for District Judgeships?

(*c*) Will the Government be pleased to state whether age, health, merit and seniority in service are taken into consideration in appointing members of the Provincial Judicial Service to District Judgeships?

Answer by the Hon'ble MR. KERR :—

" (*a*) No.

(*b*) No.

(*c*) Yes."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XIII.**

Sale of standard cloth to poor people in rural areas.

(*a*) Will the Government be pleased to state what steps, if any, have been taken for the sale of standard cloth to poor people living in the rural areas of each of the districts of Bengal?

(*b*) What is the number of licenses granted up to date for the sale of standard cloth in each of the sub-divisions of the districts of Bengal?

(*c*) Are the Government considering the advisability of making necessary arrangements for opening depôts under union committees for the sale of standard cloth for the benefit of poor people?

Answer by the Hon'ble MR. DONALD :—

" (*a*) Owing to a fall in prices the scheme for the sale of standard cloth in Bengal has not yet been introduced, and the question of its future introduction will be governed by the course of events.

(*b*) No such licenses have been issued.

(*c*) District Officers are making necessary arrangements for the sale of standard cloth, if the scheme be introduced. The question of opening depôts under union committees, in place of utilising the existing dealers, will be brought to their notice for adoption if considered desirable."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XIV.**

The Civil Service Association.

(*a*) Are the Government aware of the existence of the Civil Service Association in Bengal?

(*b*) If not, are the Government considering the desirability of inquiring into the matter?

(*c*) What are the aims, objects and activities of this Association?

(*d*) What is the total number of its members?

(*e*) Are all the members Europeans?

(*f*) Are there any Indian members in the Association? If so, what is their total number?

Answer by the Hon'ble MR. KERR :—

" The Hon'ble Member is referred to the answer given to starred question No. I put by the Hon'ble Babu Ambika Charan Mazumdar on this subject."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XV.**

Primary schools in rural Bengal.

(*a*) Will the Government be pleased to state the general condition of the primary schools in rural Bengal?

(*b*) What is the average sum which is paid per month by Government for the upkeep of the schools and for the allowances to the teachers?

(*c*) Are the Government considering any scheme for improving the status and prospects of the teachers in question?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) The Hon'ble Member is referred to Chapter V and paragraphs 487-489 of the last Quinquennial Report on Education in Bengal.

(*b*) Government spend about Rs. 1,20,000 a month on account of stipends to primary school teachers and also contribute about Rs. 80,000 annually towards the cost of repairs of Board school buildings.

(*c*) The following improvements were effected between the years 1913 and 1917—

(*i*) the salaries of untrained and trained teachers of aided primary schools and *maktabs* for boys have been increased by Re. 1 and Rs. 4, respectively, at a total annual cost of Rs. 5,68,972;

(*ii*) the stipends of teachers of primary schools while under training in *guru*-training schools have been raised to Rs. 10 *per mensem*, at an annual cost of Rs. 77,360.

Since then Rs. 1,94,000 has been sanctioned out of the 9 lakhs grant for increasing the pay of trained teachers in boys' schools by Rs. 2 a month and Rs. 35,560 for the enhancement of the pay of teachers in girls' primary schools in District Board areas. Out of the 5½ lakhs grant Rs. 60,336 has been earmarked for grants to local bodies in order to enable them to raise the rate of stipends of untrained teachers in aided primary schools and *maktabs* for boys, where it is lower than Rs. 2 per mensem, to a minimum rate of Rs. 2 or, if funds permit, to Rs. 2-8 per mensem; and Rs. 80,000 has been sanctioned for the increase of the pay of teachers in aided primary schools and *maktabs* for girls in District Board areas by Re. 1 a month and in urban areas by Rs. 2 a month. No further measures are in contemplation at present."

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble Khan Sahib Aman Ali:—

1.

Recognition of the Calcutta Medical School and College of Physicians and Surgeons, Bengal.

Will the Government be pleased to state whether any action has been taken in connection with the Hon'ble Babu Surendra Nath Ray's resolution which was carried at the meeting of the Council held on the 3rd September last, regarding the recognition by Government of the Calcutta Medical School and College of Physicians and Surgeons, Bengal, for the purposes of the Schedule to the Bengal Medical Act, 1914 (Ben. Act VI of 1914)?

Answer by the Hon'ble MR. DONALD :—

"The matter was again examined in the light of the proceedings in the Legislative Council, but for the reasons explained in the course of the debate, the local Government do not see their way to give effect to the resolution."

By the Hon'ble Khan Sahib Aman Ali:—

2.

Teachers of the Rangamati Government High English School and hill allowance.

(*a*) Will the Government be pleased to state—

(*i*) whether the teachers of the Rangamati Government High English School draw a hill allowance at the rate of 20 *per cent.* only, though they have been paying house rent;

(*ii*) whether the hill allowance of all other officers, paying house rent, was increased from 20 to 30 *per cent.* simultaneously with the imposition of house rent in 1913?

(*b*) Is the delay in the grant of an increased allowance to the above-named teachers due to war economy?

(*c*) Are the Government considering the desirability of giving effect to the increased allowance to the above-named teachers from the date on which the allowances of other officers were increased?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) (*i*), (*b*) and (*c*) The teachers of the Rangamati Government High School are in receipt of a hill allowance at the rate of 20 *per cent.* of their pay. Those occupying Government buildings enjoyed the privilege of rent-free quarters until 1913 when this concession was withdrawn, and at present, they have to pay rent subject to a maximum of 10 *per cent.* of their pay, with the exception of the headmaster, who has free quarters as Superintendent of the hostel. In 1915 a proposal was made for increasing the hill allowance to 30 *per cent.* of their pay, but owing to abnormal financial conditions the proposal could not be sanctioned. The Director of Public Instruction was however told that he might, if he thought fit, renew the application when normal financial conditions were restored.

(*a*) (*ii*) The ministerial officers of the office of the Superintendent of the Chittagong Hill Tracts receive a local allowance of 30 *per cent.* of their pay, subject to a maximum of Rs. 20 per mensem."

By the Hon'ble Khan Sahib Aman Ali:—

3.

Grant of increments to Government high school teachers.

(*a*) With reference to my unstarred question No. XLIX asked at the meeting of the Council of the 26th November, 1918, regarding Government high school teachers and the new recurring grant, will the Government be pleased to state whether there is any probability of the grant in question lapsing this year too?

(*b*) Are the Government considering the desirability of making arrangements to grant increments with effect from the 1st April, 1917, being the date when the grant was allotted by the Government of India and since which some officers of this province have already derived its benefit?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) The sanction of the Government of India has been given to the expenditure of Rs. 3,15,000 out of the 9 lakhs grant. The proposals made by this Government for the expenditure of the remainder, amounting to Rs. 5,85,000, have not yet received the sanction of the Government of India, and it is consequently not possible to spend this sum during the current year. It will therefore be added to the balances which are available for non-recurring expenditure on education in subsequent years.

(*b*) The answer is in the negative."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

4.

With reference to the answer to my unstarred question No. LVI of the 19th August, 1918— Special inquiry into the prevalence of *kala-azar* in Eastern Bengal.

(*a*) have the Government consulted the Sanitary Commissioner on the question of making a special inquiry into the prevalence of *kala-azar* in Eastern Bengal; and

(*b*) what measures, if any, have the Government adopted to combat the disease?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) Yes.

(*b*) The question of making provision for a special inquiry in the coming financial year is under consideration."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5.

(*a*) Are the Government in a position to state, district by district, the approximate number of deaths from influenza during the last two months? Influenza epidemic.

(*b*) Is it a fact that, as compared with the number of attacks, the mortality has been heavier in rural areas than in towns?

(*c*) What arrangements have been made (*i*) by Government; and (*ii*) by the district boards, for medical relief in rural areas affected by influenza?

Answer by the Hon'ble MR. O'MALLEY:—

" (*a*) Government regret that they are not in a position to give the information asked for owing to the fact that the agency employed for the reporting of vital occurrences are unable to diagnose properly the different causes of mortality.

(*b*) Sufficient data are not available to enable a comparison of this nature to be made.

(*c*) A statement is laid on the table showing the arrangements for medical relief made by district boards. Government have helped the district boards by lending the services of 66 temporary Sub-Assistant Surgeons."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 5 (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 21st January, 1919, showing measures taken by District Boards in connection with outbreak of influenza.*

Name of District Board.	Abstract of replies
	Burdwan Division.
1. Burdwan ..	Rupees 6,200 specially provided for medical relief. Arrangements made to place at the disposal of the Civil Surgeon 20 medical officers for treatment of the people. The Health Officer of the district and his staff have visited different places with a view to advising the people. Leaflets have also been distributed.

Name of District Board.	Abstract of replies.
	Burdwan Division—concld.
2. Birbhum	... Arrangements made for the appointment of 12 doctors to work in connection with the epidemic. Five hundred and twenty-seven treatment boxes of quinine distributed. Two thousand influenza tablets have been indented for.
3. Bankura	... One itinerant doctor appointed and provided with necessary medicines for distribution. Influenza tablets also distributed through Sub-Inspectors of Schools and Sanitary Inspectors. Two moro Sub-Assistant Surgeons requisitioned.
4. Midnapore	... The Sanitary Inspector and three medical officers deputed to the interior of the district with necessary medicines to treat influenza cases. Four more appointments for medical officers have been sanctioned. Influenza tablets being distributed.
5. Hooghly	... Two Sub-Assistant Surgeons deputed to influenza duty. Three peripatetic Sub-Assistant Surgeons under the District Board employed.
6. Howrah	... The Sub-Assistant Surgeons attached to the five dispensaries under the Board and two subsidised doctors have been attending epidemic cases. More temporary doctors requisitioned.
	Presidency Division.
7. Nadia ...	... Arrangements made for free distribution of influenza pills, eucalyptus oil and thymol as preventive measures.
8. Murshidabad	... Steps taken for the appointment of two doctors to be sent out in the interior. Other steps are being taken for relief of the sufferers.
9. Jessore	... Influenza tablets prepared according to the formula of the Calcutta Health Officer and distributed through dispensary medical officers.
10. Khulna ...	... It has been resolved to appoint four Sub-Assistant Surgeons and four compounders for three months to combat the disease.
	Dacca Division.
11. Mymensingh	... Printed pamphlets written by the Civil Surgeon widely circulated. Supernumerary doctors sent to different centres where the disease is virulent. The distribution of influenza tablets prescribed by the Health Officer, Calcutta. is under consideration.
12. Faridpur	... Detailed information is not available.

Name of District Board.	Abstract of replies.
	Chittagong Division.
13. Chittagong	... The appointment of two Sub-Assistant Surgeons and a sum of Rs. 600 for purchase of influenza tablets have been sanctioned by the District Board.
14. Tippera	... One doctor already appointed and arrangements have been made for the appointment of several others. Arrangements have also been made for distribution of medicine. Instructions for precaution and treatment of the disease are being circulated.
15. Noakhali	... An allotment has been made for free distribution of medicines. Arrangements have been made for distribution of leaflets containing instructions to check spread of the disease. Medical officers in charge of District Board dispensaries have been requested to treat influenza cases within a radius of 5 miles of the dispensary free of charge. L. I. doctors and qualified compounders are being deputed with necessary medicines to check spread of the disease.
	Rajshahi Division.
16. Rajshahi	... Two medical officers specially deputed for duty in connection with influenza epidemic. Arrangements made for distribution of 5,000 influenza pills. Five hundred copies of instructions printed for distribution.
17. Dinajpur	... Four Sub-Assistant Surgeons employed by the District Board for influenza duty: the Civil Surgeon has been asked to employ more medical men if necessary.
18. Jalpaiguri	... Leaflets containing instructions as to preventive measures distributed. Arrangements made for appointment of four travelling doctors.
19. Bogra ...	... Two doctors and an extra compounder deputed. More will be engaged if necessary.
20. Pabna ...	... Two doctors placed on influenza duty and for distributing thymol and quinine tablets according to the formula adopted by the Calcutta Municipality. Thana officers have also been asked to send daily reports of influenza to the Civil Surgeon.
21. Malda	... It has been resolved to depute two doctors to the affected parts with a full stock of medicines. Diet distributed to the poor and arrangements made for reporting influenza cases to the Chairman of the District Board.
22. Darjeeling	... Three Health Instructors and three medicine porters appointed for a period of two months. An expenditure of Rs. 500 sanctioned for the construction of huts, diet of patients, etc.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

Resolutions by the Marwari Chamber of Commerce as to sale and prices of piece-goods.

(*a*) With reference to the answer to my unstarred question No. 24 of the 19th December, 1918, are the Government aware of the resolutions adopted by the Marwari Chamber of Commerce, and published in the newspapers, by which the Chamber desired to regulate the sale and prices of piece-goods?

(*b*) If so, in what manner has the market been affected by the said resolutions?

(*c*) Was the said action of the Marwari Chamber of Commerce approved by Government?

Answer by the Hon'ble MR DONALD:—

"(*a*) Government are aware of the resolutions referred to, which were published in the newspapers They are as follows:—

'(1) No one will buy piece-goods for three months commencing from to-day, the 13th November, either ready or by order.

(2) Piece-goods will not be sold in the market except at the fixed price which has also been settled yesterday.'

The second resolution was published by mistake and has not actually been passed or acted upon.

(*b*) The market does not appear to have been affected to any substantial extent by the resolution which was passed.

(*c*) No."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

Rise in the prices of cloth.

With reference to the answer to my unstarred question No 25 of the 19th December, 1918, will the Government be pleased to state whether the prices of cloth have again been rising of late?

Answer by the Hon'ble MR DONALD:—

"Prices did rise for a short period, but the most recent quotations show some signs of their again falling"

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:

8.

Piece-goods merchants' contracts with British manufacturers.

Are the Government in a position to state the average rates at which contracts are at present being entered into by piece-goods merchants with the British manufacturers, and how far consignments at such rates are likely to affect the price of cloth?

Answer by the Hon'ble MR. DONALD:—

"No."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

9.

Scale of pay of clerks in offices of Civil Surgeons.

(*a*) What is the scale of pay of the clerks in the offices of the Civil Surgeons in the different districts?

(*b*) When was the last revision made of the said scale of pay?

(*c*) Is it a fact that, in 1913, the Inspector-General of Civil Hospitals addressed Government on the subject of the pay and strength of the clerical and menial establishments of the offices of the Civil Surgeons in Bengal, pointing out the great inadequacy thereof?

(*d*) If so, with what result?

Answer by the Hon'ble MR. DONALD :—

"(*a*) A statement showing the scales of pay of the clerks in the various offices of the Civil Surgeons is laid upon the table.

(*b*) The last revision was made in February, 1914

(*c*) and (*d*) Yes: the revision made in February, 1914, was the result of the Inspector-General's reference."

Statement referred to in the answer by the Hon'ble MR. DONALD *to question No. 9 (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 21st January, 1919, showing the scales of pay of the clerks in the offices of the Civil Surgeons in Bengal.*

District.	Number of clerks.	Scale of pay.
	GROUP I.	
		Rs.
24-Parganas ...	... 1 Head Clerk	40—2—50
	1 Clerk	25—1—30
	1 Clerk	25
Midnapore ...	... 1 Head Clerk	40—2—50
	1 Clerk	25—1—30
	1 Clerk	25
Mymensingh	... 1 Head Clerk	40—2—60
	1 Clerk	25—1—30
	1 Clerk	25
Bakarganj ...	... 1 Head Clerk	40—2—60
	1 Clerk	25—1—30
	1 Clerk	25
	GROUP II.	
Burdwan ...	... 1 Head Clerk	30—2—40
	1 Clerk	25—1—30
Nadia ...	... 1 Head Clerk	30—2—40
	1 Clerk	25—1—30
Murshidabad	... 1 Head Clerk	30—2—40
	1 Clerk	25—1—30
Jessore ...	... 1 Head Clerk	30—2—40
	1 Clerk	25—1—30
Rajshahi ...	... 1 Clerk	35—2—45
Dinajpur ...	... 1 Head Clerk	35—2—45
	1 Clerk	25—1—30
Dacca ...	... 1 Head Clerk	40—2—60
	1 Clerk	25—1—30
Faridpur ...	... 1 Head Clerk	30—2—40
	1 Clerk	20—1—30
Chittagong ...	... 1 Head Clerk	35—2—45
	1 Clerk	25

District.	Number of clerks.	Scale of pay.
	GROUP III.	
Birbhum ...	... 1 Clerk ...	... 30—2—40
Bankura ...	... 1 Clerk ...	... 30—2—40
Hooghly ...	... 1 Clerk ...	... 30—2—40
	1 Clerk ...	... 25—1—30
Howrah ...	... 1 Head Clerk ...	... 30—2—40
	1 Clerk ...	... 25
Berampore ...	... 1 Clerk ...	... 30—2—40
Khulna ...	... 1 Clerk ...	... 30—2—40
Darjeeling ...	... 1 Clerk ...	... 30—2—40
Jalpaiguri ...	... 1 Clerk ...	... 30—2—40
Rangpur ...	... 1 Head Clerk ...	... 35—2—45
	1 Clerk ...	... 25
Bogra ...	... 1 Clerk ...	... 30—2—40
Malda ...	... 1 Clerk ...	... 30—2—40
Pabna ...	... 1 Clerk ...	... 30—2—40
Tippera ...	... 1 Head Clerk ...	... 30 - 2—40
	1 Clerk ...	... 25—1—30
Noakhali ...	... 1 Clerk ...	... 30—2—40
	1 Clerk ...	... 20—1—25
Chittagong Hill Tracts ...	1 Clerk ...	... 30—2—40

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10.

Drowning of a young student near Goalundo.

(*a*) Are the Government in a position to state the circumstances in which a young student fell overboard from a steamer near Goalundo in December last, and was drowned?

(*b*) Is it a fact that this fatality was due to the railings of the steamer giving way?

(*c*) If so, when was the steamer last surveyed or otherwise examined by experts?

(*d*) Are the Government considering the desirability of instituting an inquiry into this matter?

Answer by the Hon'ble MR. COWLEY:—

"(*a*) and (*b*) It would appear that the passenger in question held an intermediate class ticket, the space apportioned to passengers of that class being on the upper deck. It is not clear what induced him to come to the lower deck which is never used for intermediate class passengers. It is stated that he was half leaning and half resting against the rail of the steamer with his back to the water. There is a movable gangway at this part which can be opened out to allow of access to the bank when calling at way-side stations. This gangway is formed of a rod with a ring at one end and a hook at the other with a pin attachment. In some unexplained manner the fastening opened out and the passenger, who was leaning against the upper rail, fell backwards overboard and was drowned.

(*c*) The steamer was last surveyed in December, 1917, and her passenger certificate was current up to the 22nd December, 1918; the steamer was again under survey on January 11th, 1919.

(*d*) A full investigation has already been made by the India General Navigation and Railway Company, Limited, from which it appears that on

the 6th December, while the steamer *Buzzard* was on her way from Goalundo to Chandpur, a passenger fell overboard from the forward lower deck. The alarm was at once given to the serang, a life-buoy was thrown into the water, the steamer was stopped, turned round and a careful search made in the locality where the accident occurred, but without success. As the facts have been ascertained as far as possible it is not the intention of Government to hold any further inquiry."

By the Hon'ble Maulvi Abul Kasem:—

11.

With reference to the answer to my unstarred question No. LXII of the 26th November last, will the Government be pleased to state— The case of Mokbul Ahmad.

(*a*) in how many cases Mokbul Ahmad was convicted before his conviction on the 10th June, 1918;

(*b*) whether it is not the general practice to send convicted persons from the court lock-up to the jail after the close of the court business; and

(*c*) whether it is a fact that—

(*i*) under the Jail Code prisoners are ordinarily made to work from the day following the day of their conviction; and

(*ii*) prisoners are sent out to work outside when there is no work for them within the jail or its precincts?

Answer by the Hon'ble MR. DUVAL :—

"(*a*) None, so far as traceable.

(*b*) Yes, unless, as at Kushtia, the sub-jail is very near the court.

(*c*) (*i*) No.

(*ii*) No."

By the Hon'ble Mr. W. H. H. Arden-Wood:—

12.

(*a*) Is it a fact—

(*i*) that the operations of the Calcutta Improvement Trust in connection with the northern sections of the Central Avenue involve the demolition of a large number of small houses occupied by persons of the lower-middle class; and Accommodation for persons displaced by the opening of the northern sections of the Central Avenue.

(*ii*) that there are difficulties in the way of providing new houses owing to the high cost of building materials and the small number of sites available at a reasonable price?

(*b*) If so, will the Government be pleased to state—

(*i*) whether the Calcutta Improvement Trust contemplate taking any action to provide accommodation to the homeless and thus mitigate the hardships of eviction; and

(*ii*) what steps, if any, have been taken by the Improvement Trust to rehouse the displaced inhabitants of the class referred to in (*a*) above, or the displaced members of the working classes?

(*c*) Are there any legal difficulties in the way of providing accommodation? If so, are the Government considering the desirability of amending the existing law so as to provide for this?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) The reply is in the affirmative.

(*b*) (*i*) and (*c*) The question has received the anxious consideration of the Board of Trustees, which is of opinion that the existing law is defective. Section 52 of the Calcutta Improvement Act empowers the Board to construct, maintain and manage dwellings for persons of the poorer and working classes who are displaced or likely to be displaced by the execution of an improvement scheme; and the Board has erected dwellings under this section. Its provisions, however, do not appear to meet the case of persons of the poorer middle classes residing in houses owned by themselves whose houses are acquired for the execution of improvement schemes. Such persons are not attracted by the offer of a tenancy in tenement dwellings constructed under section 52 or even in a separate house, but wish again to own a house and also the land on which it stands. The Board also considers that it is precluded from acquiring land in order to resell it to persons displaced by its schemes; and the amount of land at its disposal is limited by the facts —

(1) that the owners of land not actually required for the execution of a scheme have a right under section 78 of the Act to retain it on payment of a fee, and

(2) that when the Board disposes of land already acquired, the previous owner has a right of pre-emption under section 81.

The amount of land of which the Board is free to dispose is therefore often inconsiderable; and in a scheme such as that for the construction of the Central Avenue such sites as are at its disposal are unsuited for the residence of the poorer middle class The Board has appointed a committee to consider the whole problem of re-housing and has made a recommendation on the subject for the consideration of Government in connection with the amendment of the Act.

(*b*) (*ii*) As already mentioned in reply to (*b*) (*i*) and (*c*) the Board of Trustees has carried out one re-housing scheme, of which particulars will be found in paragraph 13 of its annual report for 1917-18 The Board is considering a proposal to erect another block of dwellings under section 52 of the Act and is offering land at concession rates to persons displaced by scheme No. VII."

By the Hon'ble Babu Bhabendra Chandra Ray:—

13.

Free studentships in primary schools.

(*a*) Have the Government any information regarding—

(*i*) the number of children who enjoy free studentships in primary schools in each division; and

(*ii*) the proportion they represent of the total number of children in primary schools?

(*b*) Is there any rule prescribing any limit to the number of such free studentships in primary schools?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) (*i*) (*ii*) Government have no information.

(*b*) Primary schools are under the control of local bodies and no rule of the kind referred to has been issued by Government."

By the Hon'ble Babu Bhabendra Chandra Ray:—

14.

Are the Government aware that the Government of Bombay are intimating to all inspectors and headmasters of schools that if they are satisfied that the payment of fees levied on students would preclude any children from attending primary schools, they should admit all such children free from the payment of fees?

Bombay Government's orders as to admission of poor students in primary schools.

Answer by the Hon'ble MR. O'MALLEY :—

"Government have no information on the point."

By the Hon'ble Babu Bhabendra Chandra Ray:—

15.

Will the Government be pleased to state whether any revision of the grant-in-aid rules is contemplated, especially with regard to the provisions relating to the constitution of the managing committees of schools and the appointment of Presidents thereof?

Revision of the grant-in-aid rules.

Answer by the Hon'ble MR. O'MALLEY :—

"Rule 3 of Section II and rules 2 and 3 of Section III of the Grant-in-aid rules have recently been revised. Copies of the rules as revised are laid on the library table. No further revision is at present in contemplation."

By the Hon'ble Babu Bhabendra Chandra Ray:—

16.

In view of the abnormal rise in the price of food-grain, are the Government considering the desirability of asking municipalities and district boards to open stores for the supply of grain at cost price in selected areas, and affording all facilities to them in that behalf?

Opening of stores for the supply of food-grain.

Answer by the Hon'ble MR. MCALPIN :—

"The answer is in the negative."

By the Hon'ble Babu Bhabendra Chandra Ray:—

17.

With reference to the answer to starred question No. 11 of the 19th December, 1918, will the Government be pleased to state whether they are taking any steps to regulate the retail prices of food-grain in the *mufassal*, particularly of the imported Rangoon rice referred to in the said reply?

Retail prices of food-grain in the *mufassal*.

Answer by the Hon'ble MR. MCALPIN :—

"The answer is in the negative."

By the Hon'ble Babu Bhabendra Chandra Ray:—

18.

Statistics as to chaukidari assessment.

With reference to the answer to clause (*f*) of my unstarred question No. X of the 26th November, 1918, will the Government be pleased to state whether the statistics published with Government Resolution No. 6774-A., Appointment Department, dated the 2nd December, 1918, were not available to Government at the time the said answer was given?

Answer by the Hon'ble MR. KERR :—

"The statistics published with the Government Resolution of the 2nd December were received before the 26th November, but had not then been compiled. It may be noted that those statistics relate only to non-agriculturists paying chaukidari tax at the rate of Rs. 2 and over and at the rate of Rs 4 and over, whereas the Hon'ble Member's question related to all classes of chaukidari tax payers paying Rs. 4, Rs. 2 and Re. 1. respectively."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

19.

Number of qualified medical practitioners in the Burdwan and Presidency Divisions.

Will the Government be pleased to state (*1*) the total number of qualified medical practitioners, and (*2*) the total number of qualified lady doctors, in each of the sub-divisions of the districts of the Burdwan and Presidency Divisions, respectively, showing (*i*) how many of them passed from the Medical College, Calcutta, and from other recognised medical schools, and (*ii*) how many hold registered British qualifications?

Answer by the Hon'ble MR. DONALD :—

"The Hon'ble Member is referred to the Annual Medical List published by the Bengal Council of Medical Registration."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

20.

Influenza epidemic.

(*a*) Will the Government be pleased to state the total number of seizures and deaths from influenza up to December last, in each of the districts in the Burdwan and Presidency divisions?

(*b*) What amount has been actually spent by each of the district boards for the treatment of the poor people attacked with influenza?

(*c*) What amount has been contributed by Government to each district board for the said purpose?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Government regret that they are not in a position to supply this information as the reporting agency is unable to distinguish influenza from other febrile diseases with respiratory symptoms.

(*b*) A statement is laid on the table which contains the information at present available.

(*c*) No applications have been made for financial assistance and no grants have been made by Government for the purpose."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 20 (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 21st January, 1919, showing the amount spent by each of the District Boards in the Presidency and Burdwan Divisions for the treatment of poor persons suffering from influenza—*

	Rs.
Burdwan, approximately	6,500
Birbhum	5,080
Bankura	1,916
Midnapore	3,002
Hooghly	3,000
Howrah, approximately	470
24-Parganas	Figures not available.
Nadia, approximately	4,000
Murshidabad	1,233
Jessore	1,400
Khulna	1,121

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

21.

Licensed dealers for the sale of standard cloth to poor people.

Will the Government be pleased to lay on the table the names and full addresses of the dealers who have been licensed in accordance with the conditions prescribed under the Defence of India (Consolidation) Rules, 1915, and published under Notification No. 442 T.—Com., dated the 1st October, 1918, for the sale of standard cloth to poor people in Bengal.

Answer by the Hon'ble MR. DONALD :—

"The notification cited has reference to wholesale transactions in cotton cloth in general and not to the licensing specifically of dealers in standard cloth; it is current only within the municipal limits of Calcutta. Owing to the fall of prices in Calcutta the scheme for the sale of standard cloth has not yet been introduced."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

22.

Acquisition of certain municipal holdings for a public square.

(*a*) Is it a fact that the Calcutta Improvement Trust intend to acquire municipal holdings Nos. 11-1, 11-2, and 11-3, Ram Kissen Dass Lane, for a public square?

(*b*) If so, will the Government be pleased to lay on the table full particulars of the scheme?

Answer by the Hon'ble MR. O'MALLEY :—

"No scheme embodying such a proposal has been submitted to Government which have no information on the subject."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

23.

Application for separate numbering and assessment re certain municipal holdings.

(*1*) Is it a fact—

(*a*) that a Hindu widow named Srimati Nani Bala Debi applied to the Assessor, Calcutta Corporation, on the 22nd June, 1917, for separate numbering and assessment in respect of her share of land situated in municipal holdings Nos. 11-2 and 11-3, Ram Kissen Dass Lane;

(*b*) that the Assessor in his letter No. A 7114, dated the 18th October 1917, rejected the application on account of objections preferred by the City Architect;

(*c*) that Babu Satish Chandra Biswas, a Solicitor on behalf of the above-mentioned widow, entered into considerable correspondence with the City Architect about the objections referred to in clause (*b*);

(*d*) that the City Architect in his letter, dated the 7th May, 1918, replied that he had no further objections to the widow's land being separately assessed;

(*e*) that on the 8th June, 1918, she submitted to the District Building Surveyor to the Corporation, plans for the construction of a residential house on the said land in conformity with the building regulations;

(*f*) that permission for the construction was refused by the Building Surveyor in his letter No. 1 B—1062, dated the 2nd July, 1918, on the ground that the site was on a *tank filled* land;

(*g*) that the same Building Surveyor in his letter No. 1025, dated the 24th June, 1915, granted permission to one Babu Tarapada Paulit to erect a building on a portion of municipal holding No. 11-3, Ram Kissen Dass Lane, the site of which was also on a *tank filled* land;

(*h*) that the said widow renewed her application to the Building Surveyor on the 15th July, 1918, drawing his attention to the fact mentioned in clause (*g*) ; and

(*i*) that the Building Surveyor in his letter No. 1 B—2541, dated the 4th December, 1918, rejected her second application for a reason entirely different from that referred to in clause (*f*), namely, that the site was affected by a public square?

(*2*) Will the Government be pleased to state whether it is a fact that permission for the construction of a residential house is sometimes refused by the Corporation of Calcutta before any declaration is published?

Answer by the Hon'ble MR. O'MALLEY :—

"(*1*) and (*2*) Government have no information. This is a matter concerning the Corporation and the information should be asked for at a meeting of the Corporation."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

24.

Admission into medical schools and colleges.

(*a*) Will the Government be pleased to state the number of qualified applicants that have been refused admission into (*i*) the medical colleges and (*ii*) other recognised medical schools in Bengal, during each of the last ten years?

(*b*) Will the Government be pleased to state what steps, if any, are being taken for the admission of a larger number of students into the medical colleges and other recognised medical schools in Bengal?

Answer by the Hon'ble MR. DONALD :—

" (*a*) A statement giving the information required is laid on the table.

(*b*) Arrangements have been made by which the Campbell and the Dacca Medical Schools will now accommodate 500 and 400 students, respectively, as against 300 and 200, the maximum number in 1916. The Governor in Council also contemplates the opening of a new medical school at Burdwan and a scheme is now under preparation."

Statement referred to by the Hon'ble MR. DONALD *in his answer to question No. 24 (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 21st January, 1919, showing the number of applicants that have been refused admission into* (i) *the medical colleges, and* (ii) *other recognised medical schools in Bengal during each of the last ten years.*

YEAR	Medical College, Calcutta	Campbell Medical School.	Dacca Medical School.
1	2	3	4
1909	81	Figures are not available.	84
1910	222		34
1911	253		72
1912	255		20
1913	235		70
1914	278		62
1915	285	317	32
1916	274	413	37
1917	281	176	25
1918	459	531	106

By the Hon'ble Babu Siv Narayan Mukharji:—

25.

Improvement of the existing girls' schools in Bengal.

Will the Government be pleased to state whether, with reference to the recent gracious message of Her Majesty the Queen-Empress to the women of India, Government propose to adopt a new line of policy in the direction of uplifting the future motherhood of this Province by raising the status of the existing girls' schools and by making adequate provision for bringing " the means of education and knowledge " within the practical reach of married *zenana purda* ladies?

Answer by the Hon'ble MR. O'MALLEY :—

"Government are fully aware of the desirability of providing for the expansion and improvement of female education and have recently made an additional allotment for the purpose of Rs. 1,80,000 out of the 5½ lakhs grant. It may be pointed out that the provision of zenana education would be no new feature of the educational policy of Government: in this connection the Hon'ble Member's attention is drawn to paragraph 513 of the last quinquennial review of the progress of education in Bengal. As regards raising the status of existing girls' schools, by which it is presumed the Hon'ble Member means the conversion of primary into secondary schools, it may be pointed out that the elementary education of girls is of paramount importance under present conditions and that such conversion can only be effected when it is justified by a demand for secondary education."

LIST OF BUSINESS—Item No. 2.

THE BENGAL TENANCY (AMENDMENT No. 2) BILL, 1918.

The Hon'ble MR. CUMMING moved that the report of the Select Committee on the Bengal Tenancy (Amendment No. 2) Bill, 1918, be taken into consideration.

The motion was put and agreed to.

LIST OF BUSINESS—Item No. 3.

The Hon'ble MR. CUMMING also moved that the clauses of the Bill be considered for settlement in the form recommended by the Select Committee.

The motion was put and agreed to.

LIST OF BUSINESS—Item No. 4.

Clause 1.

The Hon'ble MR. CUMMING also moved that in clause 1 of the Bill, for the words, brackets and figures "the Bengal Tenancy (Amendment No. 2) Act, 1918", the following be substituted, namely :—

"the Bengal Tenancy (Amendment) Act, 1919".

The motion was put and agreed to.

LIST OF BUSINESS—Item No. 5.

Clause 2.

The Hon'ble MR. CUMMING also moved that in clause 2 of the Bill, in the first and second provisos, for the words, brackets and figures "the Bengal Tenancy (Amendment No. 2) Act, 1918", the following be substituted, namely :—

"the Bengal Tenancy (Amendment) Act, 1919".

The motion was put and agreed to.

Kumar S. S. Ray; Mr. Cumming; Mr. P. C. Mitter.

LIST OF BUSINESS—Item No. 6.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY moved that after the word "*mukarrari*" in line 2 of the proposed sub-section (*3*) of section 74 (clause 2 of the Bill) the words "or rent-free" be inserted.

He said :—

"My lord, the Select Committee have taken a very reasonable view in connection with this Bill, but I do not know why they have left out of their consideration the point raised in my amendment. I had also referred to them at an earlier stage of the Bill. It is true that the incidence of rent-free tenures are not to be found in the Bengal Tenancy Act, but I think that it is only a question of omission. As far as my information goes such tenures are governed by the Tenancy Act. As a matter of fact, rent-free tenures are still being created by proprietors and they have been elaborately dealt with in the Cess Act. As provisions have been made for permanent tenures it is but proper that similar provision should be made in respect of rent-free tenures, and I hope that my amendment will be accepted."

The Hon'ble MR. CUMMING said :—

"My lord, the Hon'ble Member says that he is not aware why the Select Committee made no reference to rent-free tenures and he suggests that, as in the Bill reference has been made to the category of *mukarrari* tenures, rent-free tenures should not be omitted. I venture to think that the Hon'ble Member is under an entire misapprehension. The reason why no reference in this amending Bill has been made to rent-free tenures is that in the substantive part of it, namely, in clause 2, there is a reference only to section 41 of the Cess Act which deals with the liability of cultivating tenants as regards the cess which they should pay. The case of rent-free owners is covered by an entirely different section of the Cess Act; and, therefore, as this Bill does not propose to alter the conditions under which such rent-free holders pay cess, it is obvious that it is entirely unnecessary to make any reference to rent-free holders in this Bill. In fact, it is an obvious canon of legislative drafting not to put in a saving clause where it would be superfluous and unnecessary to create one; and I might go even further and say that not only is it unnecessary, but it might be misleading. The reason why you find in the Bill a saving clause regarding *mukarrari* tenure-holders is that the High Court pointed out with complete correctness that, while section 179 of the Bengal Tenancy Act saves such leases as were granted subsequent to the Tenancy Act, it does not save leases that were granted before the passing of the Tenancy Act. It was for that reason that the sub-clause (*3*) in clause 2 of the Bill has been inserted, but this reason does not apply in the slightest degree in the case of rent-free holders who are not affected by the Bill in any way and for whom no saving clause is required."

The Hon'ble Mr. P. C. MITTER said :—

"My lord, as a member of the Select Committee I would like to add one word of explanation. I entirely agree with the Hon'ble Mr. Cumming as to the reasons which the Hon'ble Member has given for not including the words "rent-free" in that particular clause which the Hon'ble Kumar Shib Shekhareswar Ray wishes to amend. Furthermore, in my view of the matter if a certain zamindar desires to create a rent-fee tenure permanently, then, if it is a tenure within the land, it is wide enough. If it is not a permanent tenure, then, as the Hon'ble Mr. Cumming has already explained,

it is not touched by the provisions. So, as a matter of drafting, as also as a matter of looking to the substance of the thing, I do not think the inclusion of the words is necessary."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"My lord, the Hon'ble Mr. Mitter is a lawyer and also a zamindar; if he thinks there is nothing wrong in this I beg to withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—Item No. 7.

The Hon'ble MR. CUMMING moved that the Bill, as settled in Council, be passed.

He said :—

"My lord, I do not desire to encroach on the time of the Council; but there are two points which I should like to mention for record. One is that the motives which influenced Government in undertaking this legislation have been justified by facts which I have ascertained since the matter has come under discussion. What the High Court said was that it was not illegal to take from a cultivating raiyat more than half an anna per rupee : the maximum of the road cess and the public works cess together, as laid down by law, is one anna per rupee. Therefore, it may be presumed that anything above one anna per rupee would be illegal and was not contemplated by the High Court's decisions; but I find that in some cases certain landlords have been taking from cultivating raiyats not only more than half an anna and under one anna, but as much as two annas per rupee, and even up to three annas per rupee. As was stated when the Bill was presented to the Council, the object of Government is to reassert the policy laid down when the Cess Act was passed, namely, that the cultivating raiyats should pay not more than half an anna per rupee. The other point which at this stage I should like to mention is that even those landlords who, acting under the authority of the decisions of the civil courts, have taken more than what Government understood to be the legal maximum according to the Cess Act, have a certain pricking of conscience; for I find from their papers that they carefully do not give any receipt for any excess which they may take over and above the half-anna per rupee, Moreover, if they sue a tenant, they enter in the plaint only the maximum according to the Cess Act; and if the tenant does not pay the excess they do not take any further steps. For these reasons, I think that this legislation is justified. I now beg formally to move that the Bill, as settled in Council, be passed."

The motion was put and agreed to.

LIST OF BUSINESS—Item No. 8.

THE BENGAL VILLAGE SELF-GOVERNMENT BILL, 1919.

The Hon'ble SIR HENRY WHEELER presented the report of the Select Committee on the Bengal Village Self-Government Bill, 1919.

Sir Henry Wheeler.

He said :—

"My lord, I beg to present the report of the Select Committee on the Bengal Village Self-Government Bill, 1919.

The time allowed by the Council for the deliberations of the Select Committee was found to be none too long, and it was only by crowding in fourteen meetings and protracting some of them till an inconveniently late hour in the evening that we have been able to finish our work. We have, however, got through the Bill, and I trust that we have improved it. On first sight, looking at the copy of the Bill which has now been circulated, Hon'ble Members will perhaps think that we have made a very great number of alterations, but on further examination Hon'ble Members will find that these changes reduce themselves to two or three main categories, and essentially we have not departed from the original characteristics of the measure.

A number of changes follow from the alteration in substance which we have made (and to which I will refer again shortly) in eliminating the circle board, which renders unnecessary a certain number of clauses and has led to verbal amendments in others. Secondly, by reason of the change which we have made in nomenclature by using the words 'union board' in place of 'village committee' we had to insert a number of verbal alterations. We thought on the whole that union boards, union benches, and union courts represented more accurately what those new bodies would actually be. A third type of general amendment is primarily verbal, with the object of clearing up obscurities in, and eliminating superfluities from, some of the clauses which on examination we thought to be somewhat defective. The action taken in that direction has merely been with the object of rendering the Bill more concise, more clear, and more definite, because we have got to remember that action will be taken under this Bill by men who will not be highly trained either in law or in administration. Apart from that, we have made a fair number of alterations in minor points which seemed to the Select Committee to be improvements on the original proposals, but, as I have already said, I do not think they fundamentally affect the principles on which the Bill was drawn up.

The most important change we have made is in discarding the original idea of circle boards. I referred to that point when I moved that the Bill be referred to a Select Committee, and I will not now repeat the general arguments which I then submitted, and which, on further consideration, the Select Committee accepted. We came to the conclusion that the circle board would be somewhat superfluous, that it would not be a very large or important body which would attract keen men to serve upon it, while in so far as we might not be able to cover the whole of any one subdivision with union boards but in certain areas might have to retain the existing system, there would be confusion between the simultaneous jurisdiction of the circle board and [illegible] local board. Therefore, we decided, as the simplest thing, to stick to the local boards that we have at present. Local boards certainly would, in general, be the better for a little more activity and keenness in their proceedings; but the additional responsibilities conferred by this Bill will tend, possibly, to rectify these deficiencies, and in any case it lies largely in the power of district boards to stimulate the interest of the local boards under them by giving them more money and entrusting them with more important duties. In any case our proposals give another chance to local boards, and if there is to be brought about at any time hereafter the fundamental change of doing away with local boards without substituting, as in the original Bill, an alternative minor organization, I think that the large change of principle which would leave the district board, working, possibly, through standing committees, as the only local authority in

the district, should be discussed and debated as such, and not as a side-issue on a measure of this kind.

The other detailed alterations are set out in the report, and I do not wish to delay the Council by taking them through each one. I think most of the explanations speak for themselves, and I will only mention one or two that are of somewhat special importance.

For instance, in clause 3 we have provided that before declaring local areas as 'unions' the views of the district board should be considered. This has been done in compliance with a considerable amount of opinion that was received to the effect that the district board should be brought in further as a working entity in the scheme; and for somewhat similar reasons in clause 15 we have allowed the resignation of his office by a president of a union board to be accepted by the chairman of a district board, instead of by the District Magistrate, while in clause 17, in the probably rare event of the union board failing to elect a president, we have vested his appointment also in the district board. All these changes will reduce the intervention of the District Magistrate, to which some exception was taken in the replies that have been received.

In clause 22A we have made an important change in providing that the views of the union board shall be considered before a dafadar is appointed. It will be noticed that one of the members of the Select Committee in his note of dissent would like to give the right of the nomination of a dafadar to the union board, but the majority were not able to go as far as that, although the modification which we have made will go some way towards meeting him.

Passing on to the duties and functions of union boards we have made various changes, largely of arrangement, in matters relating to sanitation and water-supply, and we have set out particularly in clause 28A that the preservation of public health is a duty of the union board. We have also definitely laid down that the union boards will be required to supply any local information which the District Magistrate, the district board, or the local board may require and, following the precedent of the Bengal Municipal and Local Self-Government Acts, we have added a clause whereby union boards may undertake and carry out any other local work of public utility likely to promote the health, comfort, or convenience of the public, and not otherwise provided for in this Bill. Union boards may wish to see certain things done which do not actually fall within the four corners of the existing clauses.

In clause 29 the Council will notice that we have made an important change, and I shall be glad to know whether it commends itself to the Council; we have given district boards power to order union boards to take action under that clause, and similarly under clause 32 in respect of water-supply. The desirability of so doing was represented in various quarters, and it will give a very useful power to district boards of bringing into line union boards that show themselves rather slack; at any rate, it will be in accordance with the general policy of leaving the improvement of the health conditions of the district largely to the representatives of the district themselves, whether they sit on the union boards or on the district board.

We have also given power to remove jungle overgrowth and dense vegetation which is considered prejudicial to health. This is a matter of great importance in this province, about which much has been written and said.

We have further provided that union boards may cause burning ghats and burial places to be established. These measures of sanitation speak for themselves.

We have also made a provision, in so far as people are ordered by union boards to do certain things in respect of sanitation, that a right of appeal shall lie, in one case, which is of a more important character, to the district board, and in another, where the matter is less important, to the local board.

In clause 33, which previously dealt only with roads, bridges, and the like, we have inserted waterways, and in view of the conditions prevailing in large parts of Eastern Bengal this seems to me a very useful change.

In clause 35A we have inserted a new provision giving the right of regulation of an offensive or dangerous trade or business ; these can at present be dealt with within municipal limits, but they may equally well be established outside them.

In clause 37 we have enlarged the power of union boards regarding establishments, but as a safeguard we have made the exercise of the powers of appointment and the rates of pay subject to the sanction of the local board.

In clauses 56 and 57, which deal with the power of inspection by superior authority, we have brought in the chairmen of district and local boards so as to give them direct responsibilities over the working of the union board.

Clause 59A contains a somewhat important change in the Bill, although it merely follows in substance an existing provision in the Chaukidari Act. When this Bill was drafted we desired to get rid of the old liability under which personal warrants could be issued against the members of chaukidari panchayats for the realization of the arrear pay of chaukidars. That has always been represented as one of the causes of unpopularity of chaukidari panchayats. The Bill, as introduced, did not, however, afford an adequate alternative, and we have, therefore, gone back to the existing provision in the chaukidari law under which the District Magistrate can send a tahsildar to collect the arrears if the union board fails to do so.

Coming to the matter of courts and benches we have made a number of minor changes, and we have made it clear that in criminal or civil matters the benches will only deal with offences committed, or causes of action arising, within their jurisdiction.

In clause 102A we have considered the point as to how the amount realized under a decree is to be distributed if the sum due is not realized in full, and we have adopted the principle of rateable distribution.

In clause 105 we have made a change regarding the payment of witnesses as there was a considerable amount of opinion that 15 miles was too far to require a witness to travel without being reimbursed his expenses.

There are various other minor points, but I think a perusal of the report of the Select Committee will explain them sufficiently to Hon'ble Members.

The measure is not a controversial one nor, I trust, will it prove to be so when the subject is discussed in this Council. The object of all of us

is the same, and our sole wish is to produce a clear and workable measure. Hon'ble Members will notice two notes of dissent attached to the report, and their existence might be taken at first sight to be contradictory to what I have just said; but I think it will be seen on examination that these two notes merely raise minor points, some of which are arguable, and some of which (particularly in connection with the Hon'ble Rai Sri Nath Ray Bahadur's dissent, who was, unfortunately, for domestic reasons, which we all deplore, unable to attend all the meetings of the Select Committee) might possibly have been cleared up if we had been able to have further verbal discussion. The Hon'ble Babu Bhabendra Chandra Ray has raised the question of the residential qualification of voters, on both sides of which there is something to be said, while he would like to make it obligatory on the dafadar and chaukidars to obey the orders of the bench. On examination we thought that this was already sufficiently provided for under the Bill. Another point is regarding the taking over of the duties of a superseded union board. It is not one which frequently arises, and I think I shall be able to show, if it crops up in Council, that there is not much real difference in substance between us. Finally, the dissentients raise a point about the assignments to be made to union boards by Government and the district board. They would like to have something in the nature of a statutory obligation on Government and the district board to contribute towards the expenses of union boards. I think that there are great practical difficulties in the way of such a statutory provision, but it is a point worth argument and discussion in Council.

With these observations I beg to present the report of the Select Committee."

LIST OF BUSINESS—Item No. 9.

THE BENGAL PRIMARY EDUCATION BILL, 1919.

The Hon'ble BABU SURENDRA NATH RAY presented the report of the Select Committee on the Bengal Primary Education Bill, 1919.

He said :—

"My lord, the original Bill, which was circulated to Commissioners of municipalities and local authorities for opinion, contemplated making primary education compulsory. We, however, received certain opinions from the Calcutta Corporation and the Calcutta University in which it was suggested that voluntary primary education ought to precede compulsory education. The Select Committee accepted the suggestion of these influential bodies, and modified the provisions of the Bill accordingly.

"There is another suggestion also which we have considered and it is this : in the original Bill it was proposed that where education cess was to be levied primary education ought to be made free, but the members of the Select Committee thought that it would be an unwise policy not to levy fees from the boys of schools even if the education cess were levied, and so we also had to modify the provisions of that clause. These are the material alterations which have been made in the Bill."

Sir D. P. Sarbadhikari.

SUPPLEMENTARY LIST OF BUSINESS.

RESOLUTION ON THE RIGHT HON'BLE SIR S. P. SINHA'S APPOINTMENT.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI moved the following resolution :—

That the grateful and dutiful thanks of the Council be conveyed through His Excellency the Viceroy to His Gracious Majesty the King-Emperor for the appointment of the Right Hon'ble Sir S. P. Sinha, P.C., KT., K.C., as the first Indian Minister of the Crown.

That the thanks of the Council be also conveyed to the Right Hon'ble the Prime Minister.

That the heartiest felicitations of the Council be conveyed to the Right Hon'ble Sir S. P. Sinha.

He said :—

"My Lord, in placing this resolution before the Council for its acceptance, I feel weighed down by a sense of sorrow which the Empire at large feels at the great grief of their gracious Majesties the King-Emperor and the Queen-Empress. A brave, good and wise King who at every stage of the fateful struggle through which the Empire has just passed, has devotedly and whole-heartedly been with his people naturally commands to-day their whole-hearted sympathy, and the Empire's respectful condolence will be tendered to him in his great bereavement—the first that he had as a father.

Ordinarily, the head of a constitutional monarchy would not have much to do with a ministry appointment like the one my resolution contemplates and ordinarily such a resolution would probably be out of place. But, in the exceptional circumstances of the case, I feel—and the Council will probably think with me—that our grateful thanks are due to His Majesty not only for His Majesty's approval of this great step, but also for the impulse that it must have received from him, if not the actual initiative. The message of hope with which His Majesty followed up his message of sympathy in this country is being daily translated into action, steadily if slowly, and it would be worse than a blunder not to recognise the full value and the significance of the unprecedented action that has now been courageously taken.

Our thanks are also due to the Prime Minister for his part in the action, and that could be no mean a part. But for his initiative Sir S. P. Sinha's name as the first Indian Minister of the Crown could not—nay, need not—have been thought of. As Mr. Lloyd George has recently said, it is not the greatest eloquence that gets things done. We had eloquent appeals, eloquent representations, eloquent re-assurances and at times eloquent promises. The time for eloquent action has now come and some of the first steps are about to be taken. Due and dutiful gratitude should, therefore, be ungrudgingly rendered.

If non-recognition of the value of the step would be a blunder, I am free to own that over-estimation of its value would be a mistake. No one for a moment imagines that stray high honours or offices can satisfy or uplift a people. And if this step was one such, there would be less occasion or justification for the widespread rejoicings that have found expression in the press, on the platform and among public bodies and individuals. But one must recognise, and is glad to be reassured, that this step is no isolated and thoughtless measure of placation or individual preferment. It is but a part

of a concerted and deliberate scheme that is fast maturing and the step, which is a great step in advance, is but a sign and a symbol of the changing times.

That Sir S. P. Sinha has been chosen for this great honour and greater responsibility is no mere accident. The first Indian Advocate-General, the first Indian Member of the Imperial Executive Council, the first Indian King's Counsel, the first Hindu Privy Councillor, and one of the first Indians on the Imperial War Cabinet, was naturally one of the first to be called upon to deliberate on the victories of Peace, ever more glorious than the victories of mere War. And when the time came for giving an Indian a permanent, recognised and useful position in connection with the work of reconstruction, his name was also naturally the first. It is a great honour to India and a greater recognition of her claims that at no step or stage of the Peace Conference the Indian representatives are to be dropped out, though in all stages the Indian members will not necessarily sit as such.

And is this not largely due to the high and undoubted personal qualities of Sir S. P. Sinha, and his princely colleague? An unobtrusive and assiduous worker, without any delusions and devoid of the art of deluding, Sir S. P. Sinha is endowed with uncommon common-sense; his unbending rectitude and high ideals utterly unfitted him for scheming for place or honour, and what has come to him has come because it was bound to. Like his friend Sir P. C. Roy, one of the many belonging to the notable Presidency College days in the early eighties of the last century, that produced Sir S. P. Sinha, he has no claims or pretensions to genius. He would himself be horrified by the idea, as Sir P. C. Roy has recently been. He has the marvellous gift of hitting at the right conclusion on the shortest possible notice, and is essentially a practical man of sound views. The joy felt at his elevation is not merely personal, though he is a dear friend to many. Nor is it merely communal or provincial. It is much more, and the whole country naturally desires to felicitate him. He is one of our very own, but that is no less a claim on our good feelings, and I invite the Council to convey their heart-felt felicitations to their colleague. Whether turbanned and bejewelled for Parisian enjoyment, as an enterprising newspaper agency has imagined him in fancy, or whether in his plain habiliments, such as he ordinarily delights in, the Right Hon'ble Sir Satyendra Prosanna Sinha will prove himself a good man and true, as he has always been,—a loyal, worthy and watchful son of India, Her glory he will uplift, and her good name and prestige he will uphold in her restored place among nations, in the eyes of nations assembled for united effort for the supreme enthronement of righteousness and for the final confusion of the world-forces of disorder, some idea of whose mysterious and mischievous creed is manifest in the latest nationalisation ideas of the hated Bolshevik."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, I associate myself with all that has been said by Sir Deba Prasad Sarbadhikari. It is a matter of great gratification to us that the Right Hon'ble Sir Satyendra Prosanna Sinha who was a non-official member of this Council only three years ago, and was a member of the Executive Council of Your Lordship's Government up to a week ago, has been raised to the position of Under-Secretary of State for India. The appointment, I need hardly say, is unique. It not only shows the confidence of the British Government in an Indian of ability and merit, but also shows that where such ability exists, Government desire to avail themselves of the services of such ability. The appointment will give immense opportunities to an able Indian like Sir S. P. Sinha of doing real good to his country. The appointment of Indians to the Council of the Secretary of State for India as well

Rai R. C. Pal Bahádur; Babu A. C. Datta; Babu K. M. Chaudhuri; the President.

as to the Executive Council of the Government of India and of the Provincial Governments showed that the British Government are convinced that Indians are fit for positions of trust and responsibility. They have unmistakeably proved their fitness to take their place in the highest Councils of the Empire. The appointment is an augury of India's partnership in the Empire. To us the satisfaction is all the more greater that a Bengali gentleman has been selected at this critical time to fill such an important office. Our heartiest congratulations go forth both to the Government and to the recipient of the office."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I desire to associate myself with the resolution which has been moved by the Hon'ble Sir Deba Prasad Sarbadhikari. In doing so, I wish to say that the appointment has struck the imagination of the people. For the first time in the history of India, full effect has been given to the gracious proclamation of our late Most Gracious Majesty the Queen which were uttered in the memorable words of 1858. My Lord, I look upon the appointment of the Right Hon'ble Sir S. P. Sinha and the high position which he has been called upon to fill, not in a personal light. I consider that it is an earnest of the fulfilment of that pledge that noble pledge of the British nation, which was announced by the Right Hon'ble Mr. Montagu in the House of Commons on the 20th of August 1917, and that pledge is to lift the Indians to the position of equal partners of the British Empire. I do not think, My Lord, that the appointment of an individual here and there to a high position will meet our requirements or satisfy the aspirations of the people of this country. I hold that it is an earnest attempt to lift the Indian in the scale of nations as equal partners of the British Empire. On this ground, more than on personal grounds, I offer my hearty thanks and gratitude to His Gracious Majesty the King-Emperor, to the British Cabinet and to the British people."

The Hon'ble Babu Akhil Chandra Datta said :—

"I desire to associate myself with this resolution, and I do so most whole-heartedly. I do hope and I sincerely believe that the appointment of the Right Hon'ble Sir S. P. Sinha as Under-Secretary of State for India will result in advantage both to India and to the Empire to which she belongs."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am glad to associate myself with this motion and I do so whole-heartedly. I endorse every word that has fallen from the Hon'ble mover and supporters of this resolution. It is an unique occasion, and we are grateful to his Majesty the King-Emperor and to the British Empire and to the British Government, and I heartily congratulate the recipient of this honour. With these words, I beg to support the resolution."

The President said :—

"Before putting this motion from the Chair, I cannot refrain from associating both myself and my Government with the substance of the resolution, and with the tenor of the speeches which have been made in moving and supporting it. With regard to the actual words of the motion which is now before us I associate myself and also my Government with that. I rejoice both on national and on personal grounds at this signal honour which has been conferred on Sir S. P. Sinha. I rejoice on national grounds because I see in it a striking proof and a remarkable example of the determination of

Babu K. M. Chaudhuri.

His Majesty's Government to seek in ever-increasing degree the co-operation and the assistance of the prominent men of this country in the solution of those vast problems which are common to India and to Great Britain. It is sometimes said, thoughtlessly, I think, that the British Government make promises easily but that they are not quite so careful in fulfilling them. I feel certain that by the action which His Majesty on the recommendation of the Prime Minister has now taken, any suggestion that the British Government have not every intention of carrying out to the best of their ability the pledges which have recently been made in Parliament, must be dispelled. I rejoice on personal grounds because I have been fortunate enough during the time of my holding office in this country to have had associated with me in the difficult and arduous task of governing this Presidency, the invaluable assistance and advice of Sir S. P. Sinha. He was a man who never hesitated in Council with his colleagues to state frankly and fearlessly his opinions. He was a man who has always been ready to give us the best advice that he possessed. At the same time he was a man who always listened with care and courtesy to the opinions of those who might differ from him. I cannot myself conceive a more valuable or a more delightful colleague in the Government of this Presidency than the Right Hon'ble gentleman who has now been so signally honoured by His Majesty the King-Emperor."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 10.

RESOLUTIONS

(*under the rules for the discussion of matters of general public interest*).

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that a committee be formed to inquire into the causes of the deterioration of cows in Bengal, and to report as to the best means of improving them, especially noticing if, and on what lines, legislation is advisable for the compulsory acquisition of lands for the grazing of cattle and for preventing encroachment upon customary grazing lands (if any).

He said :—

"My Lord, I believe the fact that cows in Bengal have deteriorated and are gradually deteriorating is admitted on all hands and even by the Government, as will appear from 'A survey and census of the cattle of Bengal,' edited by Mr. Blackwood, the then Director of Agriculture of Bengal, and published by the Government in 1915, and it needs no showing by me. Nor am I an expert in the subject so that I shall be able to give any further facts in connection with it. It will also appear from the said report that the want of fodder is also admitted to be one of the main causes of such deterioration. At page 15 of the report in Chapter IX headed 'Circumstances adverse to cattle breeding in Bengal' Mr. Blackwood says :—'The most important circumstance, other than climate, adverse to cattle breeding in Bengal is undoubtedly the deficiency of pasture. This fact is well known to the ordinary cultivator who usually replies when asked the reason for the degeneration of cattle, ঘাসের অভাব (the want of grass).' Again when he treats of another cause of such deterioration, viz., the deficiency of suitable breeding bulls, he says, 'The inquiries which have been made have elicited the fact that,

generally speaking, bull calves are not gelded until they become fit for ploughing. Covering is therefore usually done by immature bulls. The gradual diminution in the number of brahmani bulls is due very largely to encroachment on waste lands.' It is also admitted by Mr. Blackwood, though indirectly and rather mildly, that the slaughter of brahmini bulls is another cause. At page 22 under Chapter XII headed 'brahmini Bulls' Mr. Blackwood says 'the encroachment of cultivation on waste land is perhaps the chief reason for the gradual diminution of the number of brahmani bulls, although the High Court's decision that the brahmani bull must be regarded as a *res nullius*.' He goes on to say 'the old system of breeding by means of sacred bulls was a good one from the point of view of the cattle themselves, because, if properly carried out it ensured that the calves dedicated to the deity were picked animals and the practice of allowing them to roam at will ensured that they were well fed and had plenty of exercise.' There is already an insufficiency in the supply of bulls and to add to it there is the further fact as said above that the brahmani bulls are regarded as *res nullius*. In a note by the Superintendent of the Civil Veterinary Department, Bengal, on the work done by the said department for improvement of the breeds of cattle in Bengal he says 'brahmani bulls were continued to be taken away by butchers and others from Eastern Bengal and Assam and the lower districts of the province. The evil assumed such proportions that it had a serious effect on cattle breeding' and again 'Another evil which is assuming an alarming aspect is that brahmani bulls are taken away ..... and for meat purposes.'

Colonel Raymond some time ago made a suggestion for bull rearing farms. But so far as I know, very little, if at all, has been done towards that purpose. A special Committee of the Corporation of Calcutta also advised legislation for acquiring pasture lands outside Calcutta.

If then, My Lord, it is admitted that cattle are deteriorating and also the causes are known, I do not know why the Government should be slow in remedying this grievance. Bengal is an agricultural country. The people of this province are by habit chiefly a race of non-meat-eaters. They depend chiefly upon agriculture for their food and besides some sprinkling of fish, they require largely some forms of dairy products, such as butter and milk for their meagre supply of fats. Further the question of welfare of the milk-bearing cattle is intimately connected with the health and welfare of the children-folk of the country and as such, it behoves the Government as the ultimate guardian of the peoples' interest to devise means and legislation for the maintenance and improvement of the cattle of the country. The question of an ample supply of cattle-food is of paramount importance in this connection and leads to the vexed question of feasibility, advisability or otherwise of providing ample grazing grounds by legislation. This point has been touched in some details by Mr. Blackwood (*vide* pages 16—19) in his report. The conclusion seems to be adverse to my proposal, viz., of provision of grazing land by State legislation. Be that as it may, My Lord, it is undeniable that from time immemorial Ruling authorities and Governments in this country deemed it their sacred duty to preserve, maintain and improve the breed of the cattle of the country. For this purpose the provision of grazing lands for cattle, the restrictions upon the slaughter of domestic animals, came within the purview of State legislation. Thus we find our old Hindu legislators making provisions for the same end.

For the preservation of cattle and to improve its quality the Hindu Governments from time immemorial adopted various measures, *e.g.*:—

(*i*) The Hindu Governments compelled the communal authorities in the towns and villages to provide these local areas with belts of pasture land around them to allow the cattle of those areas to

Babu S. N. Ray.

graze in these lands. These pasture grounds formed belts of grass land round villages and towns and their width varied from 100 dhanus to 400 dhanus, *e.g.*, 400 to 1,600 cubits. Dhanu is a measure 4 cubits long.

Ref. मनुसंहिता—VIII, 237.

Kautilya—Bk. II, page 172, text lines 5—11.

The preservation of these pasture grounds was enforced by the kings who did it themselves or enforced it upon the local authorities.

(*ii*) They placed restrictions upon the slaughter of these animals. Cow slaughter was strictly forbidden (Kautilya, page 122) and as regards buffaloes and other animals the Government forbade the slaughter of the female and the young and the castration of males (गोमिथुनवधं पुंल्लोपघातं च प्रतिषेधयेत् Kautilya, page 407). Unnecessary slaughter was discouraged and often punished.

(*iii*) To improve the quality of cattle (and horses) the Government provided people with bulls for crossing purposes. (Kautilya, page 133, in connection with royal horses).

The Government discouraged castration and secured certain immunities for the brahmani bulls—and bulls dedicated to Gods—and these were allowed to graze freely and were free from molestation. Injury to these was severely punished. (Kautilya on Pasture, page 172), *vide* also Vivàdaratnàkara on this point quoting the authority of Manu and Jajnavalkya on this point, pages 239-40, Asiatic Society's edition.

The Hon'ble BABU SURENDRA NATH RAY said :—

"The object of my hon'ble friend in moving the resolution is very laudable and the comparative apathy of Government towards the question is to be regretted. I am, however, sorry that I cannot support the resolution as it stands. The subject is a complicated one and will require very careful enquiry into actual conditions which I am afraid a committee sitting in Calcutta is not the fittest body to tackle properly. The question of grazing lands is only one of the many problems that will have to be solved and it is also a moot question whether, with an increase of population, lands which can profitably be cultivated for grains or jute should be allowed to lie waste for grazing purposes. The question again of the rights of villagers to have a certain portion of the village to remain fallow in order that their cattle may graze there as against the right of the landlords to enclose waste lands is also a very delicate one and requires very careful enquiry into actual conditions before any effective legislation can be taken up. Nor can we blame the landlords for bringing waste lands into cultivation when we find that even the Government in leasing out portions of the Sunderban lands requires rent for every *bigha* of the land let out and does not allow any rebate or remission etc., for pasture land, etc. The proper course would be to reserve some lands for grazing purposes and while it may be urged that probably the question is not yet very acute in that area, but it is bound to be so in a few short years in those areas where the whole of the land is cultivated. Similar causes have effected the disappearance of pasture lands in other parts of Bengal.

The difficulties indicated make it clear that the questions of finding fodder of an improved and more nutritious character, as well as of a better breed of cattle, in Bengal are all the more necessary and the help of the Agricultural Department will have to be sought.

While every one is agreed as to the necessity and urgency of the fact that something should be done in regard to an adequate feeding of the cattle, there are undoubtedly differences as to how best to secure this end.

Maulvi A. Kasem.

Mr. Blackwood for instance is opposed to compulsory acquisition of grazing lands: and he suggests the growing of what is known as fodder crops and the adoption of mixed farming as being more effective and welcome remedies.

Taking all circumstances into consideration it seems that it will not be advisable to go in for compulsory acquisition of lands particularly in the face of a definite economic tendency to take up as much possible of the available and for purposes of cultivation. At any rate some voluntary method of securing the object should be given a fair trial before compulsory acquisition can be thought of. Besides the huge expenditure which a scheme of compulsory acquisition will entail, if it is to solve the problem for the entire province, makes one despair.

The best plan will be to entrust the matter to the care of union boards which are to be created under the Village Self-Government Bill. And it will be for them to take the initiative and carry the project through with the willing co-operation of the Government, the zaminder and the tenant.

I hope the discussions on the subject will not be in vain and that Government will try to tackle the problem and inform the Council of their plan before long."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, I should like to associate myself with the appeal which has been made by the Hon'ble Babu Kishori Mohan Chaudhuri for the consideration of the question of improving not only the breed of the cattle, but for the protection of the cattle as well. I am sorry that like my friend the Hon'ble Babu Surendra Nath Ray I cannot support the resolution as it stands. The resolution suggests that a committee consisting of officials and non-officials should be appointed. I regret that in my opinion a committee so constituted will be practically of very little value. I think the Government should take up an enquiry into the matter, and after securing the opinions of experts as well as of lawyers should provide some means for the protection of cattle. In a country, where agriculture is the chief industry, the question of the breeding of cattle and their maintenance is a question of the greatest possible importance. My Lord, millions of cattle—cows and bullocks—are slaughtered in India to provide food for the non-Hindu population and I wonder what would be the situation if we take a vow not to take beef. How the people of India are to maintain such a large number of cattle unless some provision is made for it? My friend the Hon'ble Babu Surendra Nath Ray suggests that this matter should be left to the discretion of union committees who are to deal with it in consultation with Government and zamindars, I unfortunately differ from him. I think that the question should be taken up and taken up at once by the Executive Government, because it is a question in which there is no difference of opinion between popular representatives and the members of Government, and both are anxious to see that something should be done, and Government alone is in a position to decide this question. My Lord, the permanent settlement has been a great blessing to this country, but later experience and investigation have at least shown that it is not an unmixed blessing at any rate. To the permanent settlement we are indebted for the loss of grazing ground and what is more, the silting up and of innumerable silted up tanks in the cornfields. My friend the Hon'ble Babu Surendra Nath Ray says that it is more advantageous to have every inch of land for purposes of cultivation, but I want to know how cultivation work is to be carried out if there are no cattle in the country to plough the land. Over these matters I cannot express an opinion of my own; but I think that something ought to be done, and done immediately, to see that more grazing grounds are provided for our cattle and that some means for feeding them is provided and that the quality of cattle is improved."

Rai D. C. Ghosh Bahadur.

The Hon'ble RAI DEBENDER CHUNDER GHOSH Bahadur said :—

"My Lord, I want to say a few words on this resolution and at the outset I should like to state that I associate myself with the Hon'ble Babu Kishori Mohan Chaudhuri in his desire to have a committee appointed to enquire into the causes of the deterioration of cows in Bengal and to report as to the best means of improving them. There are, of course, no two opinions on the point that cattle in Bengal—I may say in most parts of India—have deteriorated in quality as also, I believe, in numbers. It is not of much use to refer to ancient Hindu writings and it is well-known that in pre-British days every village had its *Gogrash* of 30 bighas of land assigned as for the use of the cattle of the village, and it may be, as stated by the Hon'ble Maulvi Abul Kasem, that one result of the permanent settlement has been to give all these pasture lands to the zamindars who have made settlements of these lands for cultivation. All these uses were not foreseen at the time of the permanent settlement, but the permanent settlement has not been an evil to the country. There might have been mistakes of this kind at the time of the permanent settlement and provisions were not made for pasture lands. I may be permitted to invite the attention of the Council to the fact that Government *khas mahal* lands—a very appreciable portion of this province—have not been permanently settled for purposes of revenue. In the 24-Parganas there are large tracts which are Government *khas mahal*—and I think I may state, subject to any correction which official gentlemen may make on this subject, that there is no provision in the Government *khas mahal* in that district for setting apart any land for pasture of cattle. If that be so, I think it is not the zamindars of the permanently-settled estates who are to blame for the present state of things. The present state of things was not foreseen in the 18th century, and when we became aware of the evil which has come upon the economic situation of the country, we have neglected the preservation of pasture lands. We have not been very keen—we have not been at all earnest—in remedying the evils when we have come to know of it. The Agricultural Department of Government has been in existence about 40 years, and I do not think that the Agricultural Department has seriously tackled this question. I think that is owing to the frequent changes in the *personnel* of that Department and the stingy way in which that Department has been supplied with the sinews of finance. Whatever might have been the reason, there is the fact that within the last 40 years very little has been done to improve the situation in this matter. Cows have deteriorated for various causes, the chief cause, of course, being the want of grazing land : and it so happens that those who have the directing hand in apportioning the monetary contributions for remedying the evil are not the persons who directly feel the difficulties which have arisen on account of the deterioration of the cattle. We, Hindus, depend greatly on cattle for our sustenance, not that we live upon the flesh of cattle but the milk of the cattle sustains us from infancy to old age and we cannot resist our neighbours, the Muhammadans, in killing cattle. Then there is the European community to be considered : they are a beef-eating race and it does not matter to them whether cows or bulls are slaughtered. In England, I believe, prime-cows are not slaughtered for purposes of beef. The contrary happens to prevail in India—at least I can speak for the town of Calcutta where an effort was made some time ago to discourage the slaughter of prime-cows, and there was such an uproar and such a commotion that the Chairman of the Calcutta Corporation was obliged to suggest the rescinding of the by-law which required a larger fee for the slaughter of prime-cows. That was the way in which it was tried to discourage the slaughter of such cows. Well that is the state of things in Calcutta. There is a scheme before the Corporation of Calcutta for acquiring grazing lands at some distance from the town of Calcutta and to set up a dairy at a considerable cost,—the estimate is ten lakhs—to supply the town of Calcutta with pure milk. All over the country people are suffering for the deterioration of cows and after Your Lordship is able to suppress malaria the next best thing would be to take effective measures for the improvement of cattle and for increasing the food supply of

the people of this land. I therefore have great pleasure in asking for a committee. A committee will be useful in discussing the various matters for or against the question and one will feel his way before embarking on a project. One gentleman has said that you cannot proceed under the Land Acquisition Act to acquire grazing lands. Well that is one of the ways, and, provided you have the money, that is the safest way of securing grazing lands. I only refer to this matter in the hope that a committee will be appointed to consider these things."

The Hon'ble KHAN SAHIB AMAN ALI said :—

"My Lord, that the cultivators are feeling great inconvenience there is not the least doubt. I come from Chittagong, and I have seen that lands are measured as *goban* and *gochat* : *goban* is the path reserved for the passing of cows, and *gochat* is the land reserved for the grazing of cattle. These lands have now been resumed by Government and have been leased to the people. I have also seen in hilly places in Chittagong that certain hills were used by cultivators for grazing their cattle. They have now been reserved and the people cannot graze their cattle there, especially the grazing of buffaloes has been forbidden, so that the cultivators are suffering very much. My submission to this Council is that some enquiry ought to be taken in hand, either by a committee or by the District Officers. I have consulted some of the agriculturists and some of officers of the Agricultural Department, and they have told me that there are means for producing fodder for cattle : in a small area fodder can be produced for a good number of cattle. If Government be pleased to enquire into the matter either by a committee or from District Officers it will be a great boon to the cultivators of this Province. I have no experience of other districts, but I have some experience of my own district Chittagong. I have also seen that when a new *char* is formed, grass is produced there in abundance, and that the people buy this grass and feed their cattle. But, as soon as the grass grows, Government lease the *char* and the cultivators greatly suffer. This is a matter of my own experience. Therefore, my submission to this Council in support of this resolution is that, either a committee be formed to enquire into the matter or that the matter be enquired into through District Officers."

The Hon'ble MR. CUMMING said :—

"Sir, Government have every sympathy with the anxiety which the hon'ble gentleman has regarding the decrease in grazing reserves in Bengal. He has given details and quoted from Mr. Blackwood's survey of the position ; and he suggests legislation, although one of the authorities quoted by him deprecated such legislation.

I am afraid I must trespass somewhat on the time of this Council in giving a fuller statement of the past history of the case than has hitherto been given in this debate. But I shall refrain from straying into some of the by-paths which have been trodden by some of the previous speakers.

The resolution deals with two subjects : *first*, the alleged deterioration of cattle and *secondly*, the improvement of grazing facilities. The hon'ble mover recommends in his resolution that a committee should be appointed to examine the matter. From past experience, it is more than doubtful whether from the appointment of a committee any practical result would ensue ; and this point of view has been put forward by at least two hon'ble members who have already spoken. After all, the facts are known as far as they can

be known. Undoubtedly, the condition of cattle in Bengal is not satisfactory; the causes are partly climatic and partly economic. We have recently obtained from settlement reports some interesting statistics regarding cattle. In two important districts, we find that there is one animal for every two human beings; and in two other districts the record of rights of which has been recently completed we find one for every three. Again, we find one animal for every cultivated acre in a district like Dacca. We also find two animals per cultivated acre in a district like Backerganj. In addition to that, there is Mr. Blackwood's Cattle Census Report of 1915 to which the hon'ble mover has alluded. Mr. Blackwood formed general conclusions as to what the causes of the deterioration are, and I doubt whether a committee sitting at the present moment could decide anything further. Moreover, another cattle survey is due to be undertaken in January of next year. That is another reason why the appointment of a committee *ad hoc* is unnecessary.

Now, what are the causes so far as we can ascertain them. Primarily, the cause is an economic one:—namely, that it pays a cultivator better to grow crops than to produce cattle. There are many subsidiary causes, such as the smallness of holdings; deep ploughing is not required, hence cultivators are content to employ weak cattle; and the valuable fodder crops which we find grown in the United Provinces and in Bihar cannot be grown in a damp climate like that of Eastern Bengal. A damp climate, moreover, such as we have generally in Bengal, is unfavourable to the growth of vigorous cattle. There is also the want of good bulls; and I regret to say also that the cultivators do not give the calves sufficient milk. These are the general conclusions which were formed. As I have said, I do not think we can ascertain very much more by appointing a committee.

It has been urged in the debate that Government have not done enough; that Government are apathetic; and that the officers of Government, not being natives of the soil, do not appreciate the difficulties. I challenge all these statements. The Department of Agriculture has not been in existence in Bengal for so long a period as 40 years, as has been alleged; but the matter has engaged the attention of its officers throughout. The present policy of the Bengal Government at the Rangpur cattle farm is to follow two lines of action; one line is to ascertain what improvement can be effected by the process of selection from among indigenous cattle, and the other is to see what can be done by cross-breeding. Already there is an indication that the selection of the best cattle from acclimatised indigenous stock produces better results, both in the outturn of milk, and in bone and muscle. If this inference is supported, as time goes on, it will be desirable to create similar farms at many other places in the Presidency; and this, I suggest, is the proper line of action for the improvement of cattle as cattle.

The second main point in the resolution is as regards the improvement of grazing facilities. No member in the course of the debate has indicated the fact that this subject has been discussed very frequently both in this Council and in the Imperial Council. It is not a new subject; it has been brought up in recent years three times in the Imperial Council and four times in the Bengal Council; it was the subject of a budget resolution in this Council; it was also discussed in detail by the Commissioners at one of their annual Conferences; and the Government of India once raised the matter as an all-India question. What was the result? The Commissioners' Conference to which I have referred, could come to no practical conclusion. Some of the finest revenue officers that India has produced have handled this matter, and found themselves unable to check the effect of economic laws. It is true that the situation is different in different parts of India, and it is not the same even in different parts of this Presidency. One member has referred to the lands

bordering on reserve forests in Chittagong. This is a matter of local controversy; but the solution is to allow grazing in reserved forests under such conditions as will preserve the reserved forests, and at the same time not press too hard on the cattle. The rules that have been imposed there are, I consider, fair. Then again, there is the case of *char* lands on the littoral of the Bay of Bengal. It is said that Government makes no arrangement there for setting apart lands for grazing purposes. That I also challenge. The rules are quite distinct on the subject; and have been recently emphasised by the Hon'ble Mr. Stevenson-Moore, the Member in charge of the Board of Revenue. In Northern Bengal you have an entirely different problem; there the policy is to encourage stall-feeding. The picture, however, which most people have in their minds when discussing this question is the state of the Central Bengal districts where grazing has been reduced to a minimum by the extension of cultivation. Now, one may apply one formula for practically the whole of these cases, and it is as follows: where fodder reserves are required, there is no spare land, and where there is land, no fodder reserves are required. Mr. Finucane, who was the first Director of Agriculture of Bengal and was one of the best revenue officers in this province, once said that it seemed to him that all that could be done in the permanently-settled areas in Bengal was to assist such zamindars as were willing to assist themselves, and that it was out of the question for Government to acquire land by purchase in permanently-settled areas. In more recent times, another Bengal officer whose knowledge of the agricultural conditions of Bengal it would be difficult to beat,—I refer to the Hon'ble Mr. Kerr, made the following statement in this Council: 'The problem is an economic one and no feasible method of solving it has yet been suggested. Waste land is being brought under cultivation because it pays better to grow crops on it than to reserve it for grazing purposes. Government has at present no control over the extension of cultivation in ordinary private estates, and legislation on the subject would effect many vested interests, and would be attended by grave difficulties.'

Allusion is made in these remarks to the fact that Government has no control over cultivators in private estates; now what do the zamindars themselves say? Mr. Blackwood consulted the Landholders' Association; and he was informed that the zamindars could do nothing practical in the matter, and that it would be difficult to persuade the tenants to retain any portion of the land even for such a beneficial object as the grazing of cattle. In a recent settlement report of the Dacca district, it is recorded that neither the cultivators nor the landholders' agents show any restraint in refraining from encroachment on the local village paths, which are stated to constitute the only grazing lands in the district. I may quote another authority, Mr. Moreland, one of the great revenue officers of an adjacent province, namely, the United Provinces. He had an unsurpassed knowledge of the economic conditions of those provinces. He expressed his opinion when this very matter was being discussed very appropriately at a Cattle Conference convened at Lucknow about 10 years ago. On that occasion the matter was considered from every point of view, but the Conference could arrive at no agreement. He said that in those provinces the larger landholders were voluntarily preserving the existing grazing grounds, but objected strongly to be compelled to do so, while smaller landholders were breaking up the land for cultivation until the necessary adjustment for prices ensured its retention for grazing. Therefore it comes to this that is from the self-interest of the people concerned that we must look for any improvement. It has already been found in actual practice in the Dacca district that the union committees from whom we expect so much at present, have exercised their influence in preventing encroachment on the footpaths which are at present the main source of grazing grounds in that district.

The hon'ble gentleman has proposed that the propriety of legislation should be considered. This suggestion was also placed before Mr. Blackwood; and in answer to his enquiries the Landholders' Association made

an entirely immature suggestion which was of doubtful legality, that Government should acquire land for grazing purposes by utilising landlords' fees which had lapsed. This suggestion was not accepted. Now as regards possible legislation, it might take one of two forms :—one form would be for the purpose of the preservation of existing lands which are at present used for grazing, and the other form would be for the purpose of the acquisition of land for the same object. Now, as regards the first type, that has already been adopted in the legislation which was proposed for Orissa when the Orissa Tenancy Bill was brought before this Council. That Bill was subsequently taken up in the Legislative Council of Bihar and Orissa ; but the chapter devoted to that end was dropped. I felt personally some regret in the matter because I had a little to do with the preparation of that chapter ; but at the same time I recognised that the reasons which were then given for not following up the matter, were sufficient. The other line of action would be to acquire new land for grazing. Such acquisition may again fall under two heads ; it may be permissive or it may be coercive. If it were permissive, all experience shows that the legislation would be a dead letter, inasmuch as advantage would not be taken of its provisions. If coercive, then I am sure that the resentment which would be created would be out of proportion to the advantage obtained. Obviously if any village or group of villages were to come forward and say that two-thirds of the principal landlords or tenants wished a certain area to be acquired, Government would consider the matter on its merits ; but so far nothing of this kind has been done, and I have very grave doubts whether such a proposal would be forthcoming.

If I have been successful in showing that this matter has been very carefully examined in the past and that every experienced officer has admitted his inability to work miracles, then it may be asked—what can be done. I may say that Government have done, and can do, three things. First of all, Government can set a good example both in temporarily-settled estates and in Government estates which are held direct. The instructions of the Board of Revenue which are now on record, should, if followed, ensure that grazing lands are maintained. In the second place, in making a record-of-rights in this Province we have found that it is admitted by general consent that certain lands are recognised as land over which the local public have communal rights, such as grazing ; and where such rights have been found to exist Government have in their record-of-rights recorded that such land is held subject to such easements. A list of such lands is attached to the record of each village. In this way existing rights are stereotyped ; but there is not much of this in Bengal, and for that reason I do not expect much by way of legislation, undertaken simply for the purpose of recording existing rights. In the third place, Government can pursue the policy of endeavouring to select the fittest cattle by selection from among acclimatised cattle in the province. In course of time a type will be developed which can be spread over the province ; and District Boards in their turn can perform their duty in maintaining stock bulls. These are the three definite lines of action which Government can, and should, follow. As for the landlords in the permanently-settled districts in this Presidency, they must, so far as they can, on the one hand, exercise self-restraint and refrain from turning grazing land into agricultural land, for the sake of immediate gain and, on the other hand, teach cultivators that defective cattle will in the end re-act upon their own productivity and on their power of paying rent. It may be that it is only in the hard school of experience that the cultivators will learn the lesson for themselves.

For these reasons, Sir, I consider, agreeing with some of the members who have spoken, that the appointment of a committee will lead to no practical result, and that there are other lines of action which are more suitable

Babu K. M. Chaudhuri.

for adoption. Therefore, I must ask the Council not to accept the resolution in its present form."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord. I am sorry that I am opposed by the Hon'ble Member in charge of the department in the suggestion that a committee ought to be formed, and I am also sorry that some of my friends have misunderstood me, and have thought that a committee would do no good. From the discussions I should think it has been made clear to Your Excellency that a committee is really necessary. Of course, all that individual effort can do, is being done. and that Government are alive to the question is also apparent from the fact that there was an enquiry by Mr. Blackwood who recommended that it was necessary to take some steps for the improvement of the cattle, but that legislation was not necessary ; Government could not therefore do anything in the face of that report. If, however, it is a matter of interest to the Agricultural Department, for the improvement of the milk supply, and for other reasons as well, it is necessary that something should be done. Why should Government simply depend upon that report, and say that it is an economical question, and that individual effort should be depended upon. I am told that zamindars should do something ; *khas mahal* is the best ideal for the zamindars to follow. Before zamindars can do anything, the initiative should be taken in *khas mahal* land by Government and they should show the way. If it is really a public question, one class alone should not be called upon to do the needful ; not only the zamindars, but also the people most interested, I mean the tenants, and also the Government should come forward to take the initiative by showing the way in which it can be affected in the *khas mahal* lands, and for the other tracts. by legislation. if necessary. It is admitted that this is a very complicated question. If it is a complicated question, then the appointment of a committee is all the more necessary. Although Government are fully alive to the question and directed a special inquiry, and a report was submitted, yet the question was arrested because Mr. Blackwood could not come to a definite proposal, and did not agree that there was a necessity, and that legislation was the proper method of dealing with it. I am not asking for an official enquiry, I simply ask that a committee should be appointed. My suggestion is that the district officers may also do the needful if they form themselves into a committee. The District Board is not the proper authority because they have not got the funds. In the village unions some difficulties will arise as to where they should get funds. There should be co-operation between the people, the zamindars and the Government, and that question can only be dealt with in a committee. That committee could consider the question of ways and means and they could formulate proposals how the question could be approached. I am not satisfied with the reply that has been given, and I earnestly request that Your Excellency's Government should take up the question and find out means as to how this could be done. Two things are very urgently required ; the breeding question and the maintenance question. As regards the breeding question, I have shown already that in former times the State maintained bulls and supplied them free of charge. Brahmini bulls served the purpose to a certain extent, but that is also discouraged now. I think that breeding farms should be started, and Mr. Blackwood stated that farms should be established and fodder crops raised and people trained. But, I want to know in what way all this can be done. If these things are necessary, I think it must be worked out by a committee who will consider the question in all its different aspects and they should submit to Government whether any legislation is necessary, and then Your Excellency's Government will be in a position to consider what steps should be taken in the matter and whether funds should be raised by co-operative movement or whether by imposition of rates on interested persons and zamindars. So I earnestly appeal that my resolution should be accepted.

Babu K. M. Chaudhuri.

A division was then taken with the following result :—

Ayes 11.

The Hon'ble Babu Siv Narayan Mukharji.
" " Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" " Rai Debender Chunder Ghosh Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. W. E. Crum, O.B.E.
" " Mr G. A. Bayley.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Khan Sahib Aman Ali.
" " Babu Akhil Chandra Datta.
" " Babu Kishori Mohan Chaudhuri.

Noes 25.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " The Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J Stevenson-Moore, C.V.O.
" " Major-General W. H. B. Robinson, C.B., I.M.S.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S O'Malley, C.I.E.
" " Mr. H. P. Duval.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Mr. C. H. Bompas, C.S.I.
" " Mr. W. C. Wordsworth.
" " Mr. C. F. Payne.
" " Mr. S. G. Hart.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Sir Rajendra Nath Mookherjee, K.C.I.E.
" " Sir Nilratan Sarkar, KT.
" " Mr. J. Mackenzie, O.B.E.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter, C.I.E.
" " Kumar Shib Shekhareswar Ray.
" " Babu Surendra Nath Ray.

The Honble Rai Sri Nath Ray Bahadur abstained from voting.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Mr. H. R. A. Irwin, C.I.E.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Maulvi A. K. Fazl-ul-Haq.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.
" " Babu Ambika Charan Mazumdar.

The *ayes* being 11 and the *noes* 25, the motion was lost.

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that a committee, consisting of officials and non-officials, be appointed to inquire and report as

to the best means of causing the district administration in the future to be more in touch with the public opinion of the district, especially noticing if, and on what lines, advisory committees formed of representative public men of the district should be constituted.

He said :—

" My Lord, as at present constituted the district administration is a detached administration by the district officers in which the people of the district have but little voice. The official tours of the district officers and their presence at district board meetings have little effect in securing co-operation between the Government and the real leaders of the people. Practically, they rarely meet and meet for any public purposes. In these days when the necessity for the co-operation of the public with the Government is so much felt and recognised, this co-operation should not, to my mind, be left to the discretion of the district officer, but should be placed on a sure basis by the creation of a permament institution in the nature of an advisory committee or such other body, which will by constant exchange of views and joint deliberations have a real and effective bearing on the civil administration of the district in all its important branches affecting materially the well-being of the people. Such an attempt, I understand, is being made in the excise department. That this is necessary was hinted at by the Decentralisation Commission Report long ago, and also by other Government reports. So far as I know, circulars were issued by the Government of India for promoting better understanding between the district officers and the people. Government officers have been given to understand that manifestations of grave defects of temper and repeated loss of self-control should be regarded as constituting inefficiency. But I am not quite sure if these circulars produced the desired effect. I therefore want a committee for the purpose of devising means as to how this co-operation can best be secured. If the creation of advisory committees is advised by such a committee it will also be for them to recommend what shape this advisory committee should take, what functions it should exercise and what will be its constitution. By this resolution I simply want that the district officers should be in constant touch with the leaders of public opinion in the district, so that the administration may be more sympathetically based upon co-operation. In that case the peculiar wants of the district will always be before the officers, who will also in their turn find it very easy to accomplish their tasks with the co-operation of the leaders. And I am sure that such a step will remove much misunderstanding and many mistakes which, admittedly, to our great regret, often take place under the present system. Further, this will also help to train the people up in civil administration so as to make them ready to exercise greater powers in future such as are foreshadowed in the Reform Scheme.

The gods, it is natural, my Lord, may be jealous of their powers, but if the angle of vision has changed, and sympathy rather than autocratic power is to be the keynote of the Government of the country in future, the place where it ought to begin is perhaps the district, and so that the coming reforms in the Central and Provincial Governments may be real, they ought to be preceded by a reform in the district administration.

It will perhaps be not quite out of place to quote here a passage from the Report on Constitutional Reforms by His Excellency the Viceroy and the Secretary of State for India. At page 162 of their report they say : ' It is perhaps not easy for the successful and unimaginative Englishman to realise what the rule of another race must mean to patriotic minds and the great obligation that lies upon him to treat with all possible consideration those whom he has hitherto ruled and whom he is now admitting to a share in the task of ruling.'

Sir Henry Wheeler.

What I feel is that the district officer ought in future to make the leaders of the district his colleagues rather than subordinates and I am fully confident that such a step is sure to place on a surer and firmer basis the British government in India. Such a step is rendered all the more necessary by the fact that Europeans and not Indians are generally placed in charge of districts.

With these remarks I beg to move this resolution, and I earnestly appeal to Your Excellency that it may be accepted."

The Hon'ble SIR HENRY WHEELER said :—

"My Lord, it is somewhat difficult to deal with this resolution on the speech which the Hon'ble Member has just delivered, because he has told us very little of the practical means which he would like us to adopt. He has enunciated some laudable sentiments about the conditions which should govern the relations between District Officers and the people, and with them I have no quarrel. But, after all, the resolution proposes definite action towards the appointment of a committee, and I should certainly like to have heard more what changes he wants, what precisely their character is to be, and what advantages exactly he thinks he would secure by adopting them. The resolution, as it stands, desires that an enquiry should devise means for causing the district administration of the future to be more in touch with the public opinion of the district. That is a very praiseworthy object, and it is an object which it is certainly the desire of Government to see fulfilled. We want to ensure that the actions of Government are based upon accurate information of the facts and conditions existing in the districts, and of the opinions of *all* those who are likely to be affected by whatever is done. I have advisedly said *all* those, because the vast majority of the people who are affected by Government action in this country are not ordinarily those whose views find most prominence through the ordinary channels. But I do not agree with the Hon'ble Member when he talks about the administration of the present day as being an absolutely detached administration—with the officials on one side and the people on the other. For one thing it is practically impossible to put a man in charge of the executive work of a district which touches so closely the lives of the people, and for him to be able to discharge his duties (even if he wished to do so) in a state of absolute detachment. We know too that this is not the case. The Collector and his officers probably tour throughout the district more than any other individual can possibly do, coming constantly into contact with the people with whose various cases, criminal, revenue or administrative, they have to deal.

However, turning to the achievement of this laudable object, I think the essential point is how further are we going to attain it, or rather how can we improve upon the existing state of affairs. The only hint which the Hon'ble Mover has given is the old idea of advisory committees for Collectors. He has not even told us on what lines he would like to see them constituted. Apparently, he would leave all that to the committee of enquiry. But the idea of advisory committee for District Officers is not a new one. As the Hon'ble Member himself mentioned, it was prominently brought to the notice of the Decentralization Commission, a body of which I happened to be the Secretary; and I therefore heard an enormous amount of evidence on this point throughout the length and breadth of India, not only from the standpoint of Bengal but from that of other provinces. The Hon'ble Member has rather hinted that the Decentralisation Commission favoured the idea of such advisory committees. The facts are, however, that (the late Mr. R. C. Dutt dissenting) the Commission arrived at the following conclusion :—

'We also agree with those witnesses who spoke against a separate advisory council for the Collector. We consider that the District Boards,

Sir Henry Wheeler.

which include leading officials of the district as well as representative non-officials, afford a convenient instrument for furnishing advice to the Collector upon matters which, although not included in their administrative sphere, affect the district generally, or important portions of its area or people. We understand that some Collectors do already make use of their district boards in this way; but we should like this practice extended. Consultation with the district board should not, of course, in any way preclude or diminish the Collector's private consultation with influential non-officials. Given these conditions, we see no object in calling a separate advisory council into existence; while we regard it as impossible, in present circumstances, that the Collector should share his executive responsibilities with such a body.'

That was the finding of a fairly powerful body which made a widespread enquiry into the matter, and of whom, I may say, two members started by being rather predisposed to the idea of advisory committees, but were subsequently convinced of their impracticability. But not only is that a previous authoritative finding on the point, but the whole matter was discussed in a debate in the Imperial Legislative Council in this very Chamber on the 26th February, 1912, when the late Mr. Gokhale put the case for such committees with considerable force, and the Hon'ble Sir Reginald Craddock, who was then Home Member, answered him in a very able and convincing manner, demonstrating the difficulties in the way. That debate really summed up most of the arguments that are relevant. So, we have already these two findings, and I do not think the Council will be well advised, on the vague considerations which the Hon'ble Member has put before us, in again pulling this rather aged horse out of the stable and giving it another run round the course. The Hon'ble Member has in no sense referred to the various considerations that underlie the idea of advisory committees. At the very threshold, one is confronted with the question—is the committee to be advisory or executive? And when we come to analyse the views of those who favour the idea, it will generally be found that although they talk of an advisory body, they really mean an executive body. If these people are merely to be advisory, they will after a short space of time naturally say: 'What is the use of our coming here if our views carry no weight?' And as far as talking with them goes, it is perfectly open to the Collector, as matters are at present, to discuss affairs with them. Therefore, the idea of a somewhat executive body is foreshadowed, usually in the form that if the Collector cannot carry his advisory committee with him, then he must refer the points of difference to Government for orders. But even underlying such an idea there are various practical difficulties, to say nothing of the enormous delay in the disposal of business and the additional work that would be thrown on the Collector in case of disagreement between him and his council. What would be the position if they are constantly overridden by the Collector, and if the Government agreed with the Collector, as Government would in most cases be likely to do? Clearly, there would be continual cause for friction. But if the idea is to assume the practical form of an executive council for the executive work of the district, I submit there are grave objections. Then again, what sort of committee does the Hon'ble Member advocate? After all, in the debate to which I have already referred, the late Mr. Gokhale at least told the Council what he had in his mind. That was a Council of from 9 to 6 elected and 3 nominated members; and as regards the elected, he said that he would like to see the majority elected by district boards. But election by the district board would be entirely inconsistent with our present ideas regarding primary and secondary electorates, and it would be putting a body chosen for entirely different purposes to deal with business which was no particular concern of the district board. If this is inexpedient, are we to have another election by the direct franchises that are contemplated under the Reforms Scheme, and, if so, what sort of men are likely to be chosen? If they are men from headquarters they will not be acquainted with the outlying portions of the district: if they are men from the interior of the

district, it will be extraordinarily difficult for them to attend frequent meetings at headquarters. So there are very great practical difficulties whichever way the matter be regarded. Merely to say 'let us give the Collector an advisory committee,' and to support it by excellent arguments about the desirability of co-operation between officials and people, does not really carry us much further.

Let us consider for one moment what exactly is the kind of duties which devolve upon the Collector. There is first of all the main category of consultative work on legislative measures or important administrative acts or changes, on which Government consults the District Officer as to his views, almost invariably with the direction that he, in his turn, should consult the leading men of the district, which he almost invariably does. It cannot be said that in such matters public opinion, whether it be of the district or the province as a whole, is not ascertained. It may be that the ultimate decision of Government is not always in accordance with the views of a certain section of public opinion, but if Hon'ble Members will look at the sort of papers that came before the Select Committee the report of which I presented this morning, they will find that 80 or 90 papers are there enumerated going down even to the opinions of humble individuals. If the Collector consults the leading men of his district, and district boards and municipalities, at any rate their views are on record, and apart from consultation of that kind, we have the important channels of the press and platform and the Legislative Council itself, where the power of asking questions and bringing resolutions will be still further enhanced in the near future under the Reforms Scheme. So, in all this class of District Officer's work, I submit, public opinion makes itself already amply heard. Apart from that we come to what is the primary duty of the District Officer, *i.e.*, his executive work, and by executive work I mean the application of laws, rules and orders to actual facts and conditions. It is not the laying down of policies, in connection with which the utility of a council may very well be argued ; that is done for the most part at headquarters and in this Legislative Council ; but the executive work proper, as carried out in the districts, is the application of accepted policies to local facts. I may add, incidentally, that not even in the local Government is the bulk of the executive work done in committee. It is only the most important matters that come before the local Government in Executive Council. It is probably known to Hon'ble Members as a matter of historical fact that in the old days of the Government of India all executive details used to be brought before the Government sitting as a body : but the system absolutely broke down with the development of administration, and I think it was abandoned about Lord Lawrence's time.

Taking then the executive work to which I have referred, what is the kind of executive work in which the public opinion of the district is most interested ? It is surely the executive work which comes before existing local bodies, such as the making of bridges, repairs of roads, improvement of communications generally, deepening of water-ways, planting of trees, opening of hospitals and schools, etc. All these are matters which are already largely in the hands of local bodies. In all such executive work the District Officer has in some cases the assistance of the district board, while in other cases he stands entirely aloof, these being entrusted to municipalities of which he is not even a member. With the steady improvement effected by the adoption of our policy of appointing non-official chairmen of district and local boards (in municipalities chairmen, as it is, are mostly non-official), these matters will more and more pass into the hands of the people themselves, and an additional advisory committee would be entirely out of place in connection with them : and if we had an advisory committee of 9 members, mainly elected by the district board, as advocated by the late Mr. Gokhale, surely the position would become rather absurd.

Sir Henry Wheeler.

Apart from this, and turning to the other executive duties which the District Magistrate has to perform, I may briefly run through a few of the major heads. The first is Magisterial work which cannot obviously be done by an advisory committee, and over which control is exercised through definite channels of appeal and revision. Next, there is the control of police. The actual administration of the district police tends to pass more and more into the hands of the Superintendent of Police, as far as matters of departmental detail are concerned, and I can conceive of nothing more disastrous if in such matters references had to be made to a committee before action could be taken. In regard to jails, we know already that the District Magistrate is assisted by public opinion represented by jail visitors.

On the Revenue side, in a province like Bengal where estates are permanently settled, the actual settlement of land revenue, a point on which the late Mr. Gokhale laid great stress, is of comparatively minor importance, and where it arises in temporarily settled areas it is essentially a matter for detailed enquiry by expert officers in the villages themselves. Apart from that, with our permanently settled revenue, what are the Collector's duties? The Collector has to manage the actual collection of revenue, the conduct of revenue sales, the maintenance of the tauzi ledgers and the land-registration registers, so that the names of the landholders are accurately entered, and matters of that description. I see no place for an advisory committee in all these, while the cadastral survey is based on local enquiry in the villages dealt with, and the public opinion which the Hon'ble Member wishes to be heard is that of the villagers who gather round the assistant settlement officer and represent their cases under the village tree.

Taking other branches of a Collector's work such as excise, the Hon'ble Member has himself admitted that we already have advisory committees which are consulted. Local option as regards the location of liquor shops, for instance, is the option of the locality concerned not of a central district committee. As regards Income-tax, I can scarcely believe the Hon'ble Member would like this Council of 9 to advise as to assessments but public opinion is heard locally by the assessors on whose reports the final assessments are largely based. Registration is a matter of applying rules and orders to an existing administrative system; while turning to things like co-operative credit, we again have public opinion represented in the local societies. In regard to agriculture we have again district boards who assist largely, and in connection with executive work as a whole, in the ordinary sense of the term, I submit that the place for an advisory committee is very small.

If, apart from the broad consultative functions of the Collector and the executive duties to which I have referred, it is argued that it will be nice to give the Collector some people to whom he can talk at regular intervals, I would prefer that we should continue the present system by which he is accessible to all men, talking freely with them and telling them what he has got to say, and hearing what they have got to say, not only at the district headquarters but throughout the district in the course of his periodical tours. That is the real way in which, I submit, the efficiency of district administration can best be maintained, and it is the wish of Government that the Collector should continue this practice in an extended degree.

So much on the merits of the resolution. As to the inopportuneness of this enquiry at the present time there can be little question. To take a minor objection, we are strained in all directions for men at the moment, and even when we get men back from the war, we shall be drained of others going on leave which has in many cases been long delayed, and we shall not

be able to spare officers to enquire into this ancient topic. Secondly, is it a opportune moment to seek to effect this very considerable change in o present system of district administration when we have under discussion much wider scheme of reform in the higher branches of Government, t precise details of which are yet to be known and to be applied? Whatev may be the outcome of the Reforms Proposals, they obviously will effe large changes in the present system of our administration. Surely, it is wis to see the effect of these reforms before attempting to make, even within smaller sphere, an equally revolutionary departure in so far as the prese lines of district administration are concerned.

For these reasons, Sir, I would deprecate the adoption of this resol tion."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I regret that I have been misunderstood. It is not n intention that the executive work should be supervised by local committee My object is simply to ensure that the District Officers should be in touc with the real leaders of the district, and that they should consult them no and then on matters affecting the interest of the people themselves. I ha been told that district boards serve the purpose to a great extent. I thin I have some knowledge of the working of district boards as I was for som time on the board in my district, for some time as a member and for some tim as vice-chairman, and I know that only those people who have influence wit the voters are returned to the district board. The real persons who can advi or render real assistance in the administration of the district are not returne

I am told that District Officers do their best to ascertain the opinio of the public, by issuing letters and by inviting opinions on importa questions. Of course, in some cases it is done, but in the majority of cas the information is not derived from actual contact with the leaders the people. Whatever information is derived, is derived in official tou practically from the police department, and from the people who come t meet the District Officer on business, but there is really very littl opportunity of getting information from the public. As for instance th co-operative movement ; and how that movement should be spread. The are also matters of excise policy ; local committees are only now being co sulted. Some committees have been formed in the districts to advise th excise department regarding the location of shops and also in other respect As in this department, so in other departments, not really executive in the nature, but which affect the interests of the community, much can be don with the co-operation of the people. With that object in view I brougl forward this resolution, but as I see there is opposition I do not like t press it, and pray that I may be allowed to withdraw it."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY moved the followin resolution :—

This Council recommends to the Governor in Council that a Committe consisting of officials and non-officials, be appointed to examine the workin of the current land laws of Bengal, with instructions to submit their recom mendations to the Government with regard to such changes in them as the

Kumar S. S. Ray.

sider would be beneficial to the various landed interests in Bengal, hout unduly encroaching upon their existing rights and privileges.

said :—

"My Lord, personally, I would have very much liked to move this resolution I see it accepted by the Government because I sincerely believe that the sent land laws of Bengal have entirely failed to effect a happy and harmoni- solution of the difficulties between landlord and tenant, but, my Lord, I advised by some of my friends to wait for some time more, and I cannot t listen to their advice, and though it is against my will, I beg permission Your Excellency to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY also moved the following solution :—

This Council recommends to the Governor in Council that provision be ade in the next year's Budget for the delivery of religious lectures, at gular intervals, in the prisons of Bengal.

e said :—

"My Lord, this resolution does not require any lengthy speech in its pport. It is now a recognised principle all over the world that the jails ould be a place of correction and reclamation, and with this end in view, reat care is being taken, in all civilised countries, for the moral advancement f the inmates of the prisons. In the great prisons of Sing Sing and uburn in America and Dartmoor and Chatham in England, much has been one in this direction. Religious services and lectures are regularly held ere, and ministers and chaplains have been employed who do their level est to reclaim the prisoners. Throughout his term of imprisonment, the risoner has the benefit of religious and moral instructions, and whatever e his colour or creed, his spiritual welfare is watched over by competent en specially selected for the purpose. From the records kept there, it as been proved beyond doubt that most of the convicts come out of the jails etter men. My Lord, in connection with this resolution while going hrough some books of reference I was struck with the noble and great chievements of philanthropic workers like Howard and Mrs. Fry nd great administrators like Sir George Grey and Sir Riggles Brise. n India we have not yet got a Howard or a Mrs. Fry to take up the ause of the unfortunate prisoners, still, my Lord, in comparison with risons in other countries, the system followed in our jails here is much uperior in many respects. This is no doubt a matter of congratulation to ur authorities, but one thing which invariably strikes one going through the Indian Prison Reports, is that very little, if any, attention is paid to the noral and spiritual side of an Indian prisoner's life. Two chaplains no doubt re employed at the Alipore Jail for Christians, but no other step has been taken nywhere else, in respect of prisoners professing other faiths. This is really deplorable. Indians are a God-fearing and religious people, and I daresay much could be achieved if due regard is paid to the reclamation of Indian prisoners by means of religious lectures and moral instructions. I do not know what stands in the way of making a start in this direction. If it is a

question of money, I do not at all propose that the Government should unde take any huge expenditure on this account immediately, what I want is tha the Government should recognise the principle of employing religiou preachers for the spiritual and moral benefit of Indian prisoners. We migh make a beginning with the Presidency and Central Jails. There are fou Central and one Presidency Jail and the number of prisoners in them is abou 7,000. They are mostly either Hindus or Muhammadans, and so, for the presen one Hindu and one Muhammadan preacher might be engaged for each of th above. Suitable men could be found on Rs. 75 to Rs. 100 per month. Thu ten preachers would cost the Government about ten to twelve thousand rupee a year. But considering the good that will be done, I hope that the Goverr ment will be pleased to find this sum. Before I conclude I express m sincerest appreciation of the action taken by the Muhammadan community i this matter. An honorary Muhammadan preacher has kindly undertaken t give religious lectures in the Alipore Jail. This is certainly a move in th right direction and an example which should be followed by the Hindus too I am also indebted for the idea of this resolution to another gentleman of th same community, I mean the Hon'ble Dr. Suhrawardy who referred to thi subject in his last Budget speech and put some interesting questions on it I hope the Government will accept my resolution."

The Hon'ble MR. KERR said :—

"My Lord, the fundamental difficulty of this question lies in the fac that it raises the whole problem of Government's attitude towards religion i this country, the problem which is known elsewhere as the problem of Churc and State. That problem is difficult enough in most countries. In India it i beset with such peculiar difficulties that at any rate for some centuries pas the Government has thought it best to leave it alone. It will be generall admitted that it would be a bad policy for Government to provide religiou instruction for the public in general in this country. For obvious reasons, i would be bad policy for the present Government. I might go further and sa that it would be bad policy for any conceivable Government that is likely to b set up in our time. As many members of this Council are aware, even th subsidiary problem of giving moral instruction apart from religious instructio to schoolboys in schools, is beset with grave difficulties and has given ris to very wide differences of opinion. Even if it be argued that Governmen has responsibilities towards prisoners in jails similar to those which i has towards schoolboys in schools, I would remind the Council that th school problem is by no means solved, and the jail problem has difficultie of its own, different in kind perhaps, but not less in degree.

The proposal contained in the resolution is that provision should be mad in the Budget for the delivery of religious lectures at regular intervals in th prisons of Bengal. It is contempleted, therefore, that the preachers or lecturer should be paid. Now this is a proposal which, owing to the diversity o religious creeds in this country, might entail very large financial obligations These might be faced, if the results were sure to be satisfactory, but i there any guarantee that this would be the case? In the first place, where are we to get the preachers from? Among the Muhammadans there are, o course, devout men whose work in life is the definite preaching and teaching of the Islamic religion, and the same remark applies to the Christian religion But I think I am right in saying that in the ordinary rural Hindu society from which the bulk of the prisoners in jails come, there is no systematic provision or organisation for religious instruction or education in the homes o the people. That being so, what sort of men could we expect to get to undertake religious instruction in jails? The multiplicity of creeds and the diversity of religious usages which are to be found among the prisoners in jails as among the outside population would make it very difficult to find an instructor who would be acceptable to any considerable number of prisoners. A further objection to paying men for work of this kind is that

Kumar S. S. Ray.

here would be a serious danger that the profession of jail preacher would be aken up by men who were attracted by the salary and not by pure devotion r by any religious fervour. Such men would do more harm than good. That his is not an imaginary danger is shown by experience in England a century r rather more ago. The works of contemporary novelists depict the jail reachers as the most despicable and disreputable among their characters.

These being the general difficulties surrounding the case, it is not surprising that the Government of Bengal have found it necessary to adopt a cautious ttitude in regard to proposals of this kind which have come upon recent ears. They have come chiefly from Muhammadans among whom, for the easons already explained, the conditions and prospects are most favourable. he position which has been taken up by Government is that it welcomes ny practicable measure which is likely to lead to the reformation of prisoners n jails and is ready to give every reasonable facility to responsible persons ho are willing to undertake religious or moral teaching in jails, but it is ecessary if only as a guarantee of good faith that such work should be onorary or met by private persons and Government would not be justified defraying the expense at the cost of the State or in instituting a State-aid staff of preachers. Some advance has been made on these lines. n 1915, a celebrated itinerant Muhammadan preacher was given general uthority to preach to Muhammadan prisoners in the jails of Bengal, subject arrangements approved by the Inspector-General of Prisons. The Inspector-eneral has also been authorised to give facilities to other responsible persons provide religious and moral instruction for prisoners in jails, and it is nderstood that a Muhammadan preacher preaches regularly to Muhammadan risoners at the Alipore Central Jail on festival days. A few Hindu gentlemen are giving valuable assistance in the way of giving moral lectures and nstruction to the boys in the Juvenile Jail. The Inspector-General would elcome further voluntary help of this kind in all classes of jails.

There is a further reason for not making any new departure in this natter at the present time. As the Council are aware the Government of ndia have announced that after the war a Commission is to be appointed to xamine the whole question of jail administration in India. One of the main uties of this Commission will be to examine the application to Indian conditions of those reformatory aspects of prison administration which have made a considerable advance in western countries in recent years. One of the questions which the Commission will no doubt take up will be this question of moral or religious teaching in jails. They will be able to formulate a consistent line of policy for the country as a whole, and it may be that their wider experience and the wider information which will be at their disposal will enable them to show us a way of surmounting some of the difficulties which I have mentioned. Pending the result of the Commission's enquiries it would be dangerous to allow ourselves to be led astray by the analogies mentioned by the Hon'ble Member.

That then, my Lord, is the present position. For the reasons I have stated Government do not think it wise to institute a new departure in this matter at the present time. They will welcome any suitable efforts on the part of private persons for the moral and religious improvement of prisoners in jails, but Government are not prepared at present to accept such work as a legitimate charge on State funds. For these reasons, Government are unable to accept the resolution."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"My Lord, I am grateful for the sympathetic assurances of the Hon'ble Mr. Kerr, but I am afraid I cannot see eye to eye with him in all that he has said. I do not think that the Government can be said to be interfering with

the different religious faiths in India if it engages, with the consent of the people, a few instructors in jails, who would watch over the moral side of a prisoner's life. Government makes contributions to *tols* and *muktabs* and acquires lands for burning ghats and burial grounds; nobody takes any objection to that. So I do not think there would be any objection by the people if the Government engaged a few religious instructors in jails. Nor do I think that there will be any dearth of suitable men. I should therefore think that my resolution should be accepted by the Council."

The resolution was then put and lost.

LIST OF BUSINESS—ITEM No. 14.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR moved the following resolution :—

This Council recommends to the Governor in Council that Government do take steps to minimise the suffering of the agriculturists in the villages within the jurisdiction of thanas Amta and Uluberia, etc., in the district of Howrah, and to give effect to the Amta drainage project recommended by Colonel Haig in 1873 by providing sufficient money in the Budget for the year 1919-20.

He said :—

"My Lord, I do not wish to speak at any length on the merits of this resolution. This subject was a matter of consideration in this Council on the 19th December 1917, and the Hon'ble Mr. Cumming then informed the Council that a scheme as modified was ready; the solution of that question was also arrived at by him. Now it is a matter for consideration whether some money ought to be provided in the budget or not. This, I submit, is the object of my resolution, and I do hope and trust that my resolution will be accepted."

The Hon'ble MR. CUMMING said :—

"Your Excellency, this resolution is to the effect that money should be spent out of next year's budget on this particular project. This is really a budget resolution; and the Hon'ble Member has adopted the somewhat doubtful expedient of bringing before the Council a budget resolution in the form of a resolution on a matter of general public interest. He has thereby avoided the necessity of showing how the expenditure is to be met. As he has stated, the matter was discussed in December 1917 in this Council when it was explained that plans had been prepared and that the scheme was awaiting the allotment of funds. May I shortly recapitulate the position? He has referred to the general project drawn up by Colonel Haig in 1873. That scheme comprised three projects, of which one was finished in 1884, another in 1890 and the third is the present scheme. It was also stated at that meeting of the Council that the main obstacle to the completion of this scheme was the want of agreement amongst the zamindars. At first Government endeavoured to execute the project under the Drainage Act; Government next turned to the Embankment Act; finally as no further progress was apparent under that Act, in November last, the District Board was addressed as to whether they were prepared to carry the project through under the Sanitary Drainage Act. In December last, about a month ago, the District Board of Howrah said that they were prepared to do so, but asked that Government should help them by giving the grant of a loan. In the budget for the ensuing year Government have already included one lakh as a loan to the District Board, and another lakh which they are prepared to make

Rai M. C. Mitra Bahadur; the President.

as a Government contribution, and in the present month of January, Government have already appointed an engineer to perform the work. I therefore think, Sir, that the Hon'ble Member will realise that the proposal in his resolution has been anticipated by Government; if all goes well, a beginning ought to be made in the ensuing year, and in the subsequent year the scheme may be completed. I therefore ask him to reconsider the desirability of pressing his resolution."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I am grateful to the Hon'ble Mr. Cumming for the observations that he has made. That my resolution was anticipated by Government is a matter of gratitude to me. My object in bringing this resolution to the notice of the Government was simply that the work may be facilitated."

The PRESIDENT said :—

"Does the Hon'ble Member wish to withdraw his resolution?"

The Hon'ble Member having expressed his desire, the resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 15.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR also moved the following resolution :—

This Council recommends to the Governor in Council that a commission be appointed to record—

(*a*) the opinions of all orthodox Hindus (excepting those in Government employment and those under obligation to the managers of mills, factories and workshops) whose religious feelings are being wounded on account of the pollution of their sacred river—the Bhagirathi; and

(*b*) the evidence of those Indians whose health has been affected by the use of contaminated water from the same river.

He said :—

"My Lord, the Bhagirathi is regarded by the Hindus as a sacred river and she is worshipped as a goddess on the Dasahara day, which is specially set apart annually on the tenth day of the bright half of the Hindu month of *Jaishtha* corresponding to the latter part of May or the earlier part of June. For fuller information of the European Members of Your Excellency's Council, as to the sanctity of this river and the reverence in which the Bhagirathi is held by all sections of the Hindu community of India, I would refer them to study the District Gazetteers of Howrah, Hooghly, Burdwan, Murshidabad, Nadia and the 24-Parganas published by the Government of Bengal and the valuable works of researches made by the learned scholars of India, Great Britain and other countries of Europe, Asia and America, specially the well-known series entitled 'Sacred Books of the East' edited by Professor Max Müller. The Hindu festival, called the Dasahara, is observed by the Hindus in honour of the goddess Ganga or Bhagirathi, and this day is declared as a public holiday by the Government of Bengal and also by the mercantile community including the Bank authorities under the Negotiable Instruments Act.

I do not wish to take up much time of the Council, and feel inclined now to discuss the matter why and how the religious feelings of the Hindus are being

wounded by the pollution of the sacred water of the Bhagirathi by a very large number of mills, excepting two, from which millions of gallons of septic tank effluents are discharged daily into the sacred Bhagirathi. It will take several days to discuss the matter at length, if I quote passages from our various Sacred Books, viz., the Vedas, the Institutes of Manu, Vishnu and others, the Purans, the Ramayan, the Mahabharat and a large number of other Sāstras.

The public and the press including the *Amrita Bazar Patrika* and the *Bengalee* and prominent vernacular weeklies, viz., the *Basumati*, the *Hitabadi* and the *Bangabasi*, and the vernacular dailes, viz., the *Nayak* and the *Bangalee* have been strongly objecting to the pernicious practice of discharging the effluents of the septic tank latrines into the sacred Bhagirathi. The last two named papers, viz., the *Nayak* and the *Bangalee* have published two leading articles under the head of 'Ganges Water' in their town issues of the 19th September and 26th September 1918, respectively, and I strongly commend these two articles for the kind perusal by the responsible members of Your Excellency's Government. The *Nayak* even goes so far as to say under bold heading types in columns 1st and 2nd of page 3 in its town issue of the 19th September referred to above, that by drinking Ganges water near Calcutta, people are made to eat the liquified excreta of the coolies of the mills. My Lord, the religious feelings of the Hindus are being as a matter of fact wounded by the discharge of the effluents of the septic tanks into the sacred Bhagirathi, and there is a growing uneasiness and discontent among all sections of the Hindu community. I learn from the District Gazetteer of Howrah (page 4, paragraph 2), edited by my esteemed friend the Hon'ble Mr. O'Malley, that the river Bhagirathi 'is also held sacred among Buddhists and we find that Warren Hastings gave the Tāshi Lāmā of Tibet some land at Ghoosery in answer to his request that he might have "some lands on the banks of the Ganges to which he might send his people to pray." The monastery erected on this land may still be seen at Bhot-bāgān.'

I quote the following lines from the Proclamation by Her Most Gracious Majesty the Queen in Council to the Princes, Chiefs and people of India in 1858 : 'We do strictly charge and enjoin all those who may be in authority under us that they abstain from all interference with the religious belief or worship of any of our subjects on pain of our highest displeasure . . . . . and we will that generally, in framing and administrating the law, due regard be paid to the ancient rights, usages, and customs of India.'

The following lines from the Imperial message to Princes and peoples of India read by His Excellency the Viceroy in Durbar at Jodhpur on the 2nd November 1908, 'If errors have occurred, the agents of my Government have spared no pains and no self-sacrifice to correct them ; if abuses have been proved, vigorous hands have laboured to apply a remedy. . . . . .

'The law itself has been administered without disrespect to creed or caste, or to usages and ideas rooted in your civilisations ; it has been simplified in form, and its machinery adjusted to the requirements of ancient communities slowly entering a new world.

'Important classes among you, representing ideas that have been fostered and encouraged by British rule, claim equality in citizenship, and greater share in legislation and Government. The politic satisfaction of such a claim will strengthen, not impair, existing authority and power. Administration will be all the more efficient if the officers who conduct it have greater opportunities of regular contact with those whom it affects. . . . . .

'May Divine protection and favour strengthen the wisdom and mutual good-will that are needed for the achievement of a task as glorious as was

ever committed to rulers and subjects in any State or Empire of recorded time.'

(*Vide* Appendices A and B, pages 244 to 246 of the Oxford Student's History of India by Vincent A. Smith, M.A., I.C.S., retired, 4th edition, Oxford, 1913.)

Will Your Excellency's Government kindly explain to the Hindu communities why their religious feelings are being presistently wounded and their religious beliefs disrespected? It is not a wise and prudent policy on the part of the Government to state that 'Government are not responsible for remedying defects in private installations.' Why does the Sanitary Commissioner, on behalf of Government, grant sanction to the construction of septic tank latrines? Why have the Bengal Factories Rules, 1912, been framed in open defiance of Royal Proclamations referred to above?

The religious aspects of the question of allowing the managers of the jute mills to discharge the effluents of the septic tank latrines into the sacred Bhagirathi was not fully discussed by the committee appointed by the Government of Bengal in April 1904. The views expressed by Babu Jogesh Chandra Sastri were not strictly in accordance with the sacred injunctions of the Hindu Sāstras and his statements were not verified by the learned Mahamahopadhya Pundits of Bengal and other parts of India. On the contrary the valuable opinions of the learned Pundits, which were based upon the correct interpretations of the Hindu Sāstras, were utterly ignored by the said committee and the Government has been misled in this connection. According to the instructions contained in the sacred Koran of the Mussalmans, the water of the river, lakes, etc., should not be contaminated. What would be the feelings of the pious Christian ladies and gentlemen, if the sacred water of the Jordan is polluted by millions of gallons of effluents from the septic tank latrines? Here I must not forget to offer our heartfelt gratitude on behalf of the Hindu communities of India to Messrs. Angus Jute Company, a leading American firm in Calcutta, and Messrs. Kettlewell Bullen and Company, a prominent British firm in Calcutta, for not discharging the effluents of the septic tanks into the sacred Bhagirathi. The actions of these two Companies are just in obedience to the pious wish expressed by our beloved King-Emperor on the eve of Their Majesties' departure from Calcutta on the 8th January 1912, in the following memorable words in reply to Farewell Address by the members of the Bengal Legislative Council on behalf of the people of Bengal :—

'In bidding you farewell, the Queen-Empress and I fervently pray that all my subjects in Bengal, of whatever race or creed, united by the ties of sympathy and brotherly love, may, under Divine guidance, ever strive towards the advancement of their common happiness, contentment and general well-being.'

The Hon'ble Sir John Woodroffe, KT., M.A., B.C.L., of the High Court Calcutta, in his address at the Sun Rise Club said : 'Religion of power is the most vital necessity in India's struggle for self-realisation.' In his note in reply to a question issued by the University Commission of 1917-18, the Hon'ble Justice Woodroffe remarked :—'It is not necessary to enquire into the questions of the respective superiority of the civilisation of East and West. It is sufficient to hold that Indian civilisation is the best for the people whose forefathers have evolved it. Let us stop all attempts, direct or indirect, whether political or religious, to impose our beliefs and practices on a people to whom they are foreign.'

Revival of Hinduism will not hamper the growth of the commercial prosperity of Bengal or India.

Babu S. N. Mukharji.

Samples of unfiltered water from the Bhagirathi were taken and were chemically and bacteriologically examined in the laboratory of the Sanitary Commissioner, Bengal. As a result of his examinations, he found the water of the Bhagirathi in a dangerously contaminated condition and advised the people not to use it for drinking purposes and cleansing dishes, etc. In reply to my starred question No. 1 asked at the Council meeting held on the 26th November last, I understand there is no adequate provision for the supply of filtered water to very large number of people living within the jurisdiction of municipalities near the side of the Bhagirathi. My Lord, the people are therefore compelled to use the contaminated water of the Bhagirathi and they are suffering from attacks of various water-borne diseases. The health has been affected. It is therefore urgently necessary in the interest of public health that some effective steps should be taken by Government for the prevention of the pollution of the water of the said river.

With these words I commend this resolution to Your Excellency's Council, and I hope and trust that it will be accepted by Your Excellency's Government and the standing grievance of the Hindu community will be at an end in the near future."

The Hon'ble BABU SIV NARAYAN MUKHARJI said:—

"My Lord, at the September meeting of this Council I took it upon myself to support a motion brought forward by the Hon'ble Rai Mahendra Chandra Mitra Bahadur, dealing with the pollution of the waters of the Ganges by means of the effluents from the several mills situate on its banks. Although at that time the Hon'ble mover of the resolution dealt principally with the sanitary aspect of the question, Hindu as I am, I could not resist the temptation of giving it my whole-hearted support by looking at the matter from a religious view-point—by, in fact, investing the academic character of the controversy with the authority of old-world beliefs sanctified by time and handed down by tradition. The Hon'ble mover, though schooled in the art of making the worse appear the better cause, did not succeed in pressing home his charge, and the blow aimed at a system acknowledged on all hands as the veritable cause of the pollution of the river was so ingeniously parried as to strike the dealer himself by a curious process of rebound. The armour forged with the aid of official steel having thus successfully withstood the charge the Hon'ble mover has changed his tactics and has taken up his coign of vantage, inviolable because sacrosanct, behind the ramparts of conventional religion. Representing as I do, if not the blindly orthodox, at least the advanced, sections of the Hindu community, it is not without some diffidence that I venture to embark on the stormy sea of controversy and join issue on a point which is synchronous with the dawn of civilization and, for that matter, bears on it the impress of man's primæval gropings after the supernatural.

My Lord, I am afraid I shall be tiring the patience of this Council if I were to quote chapter and verse from recognised authorities to show that worship, which is another name for the outburst of the feeling of adoration, owed its origin first to a feeling of wonder and then to a sense of gratefulness. We find in the hymns of the Rig Veda:

'Accept, O Ganga, Yamuna, Saraswati, etc., my praise'.

Not content simply with singing hymns to these rivers our Aryan ancestors bestowed on each of them the epithet of mother.

Writes Max Müller:

> 'The rivers are called mothers! Why not? Do they not feed the meadows and the cattle on them? Does not our very life depend on the rivers not failing us with their water at the proper season?'

Babu S. N. Mukharji.

That at the back of what is wrongly termed fetishism there was, ever since the birth of intelligence, something higher, nobler and subtler, the recognition of which amounted to the genesis of the first crude theory of Pantheism—a theory which afterwards reached its culmination in the Vedanta philosophy—is more than borne out by the testimony of Christian Missionaries before whom a present-day Sonthal, when interrogated, declared that the *Chando* (Sun) who had created the world was not the visible *Chando* he saw but the invisible one behind it. This was the case with the primitive races all the world over, the Egyptians, the Greeks, the Romans and the rest. The ancients, according to Prodicus, considered sun, moon, rivers and springs, and, in general, all that are useful to us, as gods, as the Egyptians the Nile. Bread was worshipped as Demeter, wine as Dionysos, water as Poseidon, fire as Hephæstos. Herodotus in speaking of the Persians says that they sacrificed to the sun, the moon, the earth, fire, water, etc. 'We contemplate with awe', writes Seneca, in one of his letters, 'the heads and sources of the greater rivers. We erect altars to a rivulet which suddenly and vigorously breaks forth from the dark. We worship the springs of hot water, and certain lakes are sacred to us on account of their darkness and unfathomable depth.' This, therefore, is a common trait in the infancy of nations—a trait which, because it is present at one time or other in the life of nations, does not detract from the position they may afterwards hold in the scale of nations. But, for a people remarkable for subtlety of intellect, depth of penetration into the mysteries of life and death, and metaphysical comprehension in general, to have continued to hold views upon which their ancestors, in the far-away past had built their faith may savour of contradiction in terms 'But,' says Schopenhauer, 'religion is truth allegorically and mythically expressed, and thereby made possible and digestible to mankind at large. For mankind could by no means digest it pure and unadulterated, just as we cannot live in pure oxygen, but require an addition of $\frac{4}{5}$ths of nitrogen' 'If we want to know,' writes Max Müller, 'what the ancients thought when they spoke of a river the answer is they thought of it exactly what they called it, and they called it, as we know, in different ways, either the runner (*sarit*) or the noisy (*nadi*).' This identification of the dynamical life of the universe with God was part of their theory of the Cosmos, part of their philosophical system. '*Ekam sat vipra bahuda vadanti*'—'there is but one, though the poets call it by many names.'

I have already gone too far afield, and have called to my aid the authority of antiquarians, oriental scholars, and philosophers to prove that our Aryan ancestors paid homage to the Ganges. We find in the Greek historians, Strabo and the rest, mention of the Ganges as the river that was worshipped by the Hindus. In place of their one self-abnegating stoic of a Diogenes, they found thousands of Gymnosophists capable of seeing through the veil of mysticism, and finding out that it was not stones and trees, as Macaulay mistakenly declared, but the noumenon behind the phenomenon to which the Hindus bent their knee and paid religious homage. Lest I should raise a smile in the Hon'ble Members by my advocacy of the cause of what goes by the name of superstition I would take the liberty to quote a well-known passage in proof of the cultural heights attained by our ancestors:

'Faults this nation may have, but God forbid we should pass judgment upon people who framed their laws and institutions prior to our insect origin of yesterday. With all the faults of their nature, and errors of their institutions, their institutions, which act so powerfully on their natures, have two material characteristics which entitle them to respect; first great force and stability; and next, excellent moral and civil effects.'

What evokes our admiration and excites our wonder is that while experimental science was not yet even dreamt of the Ganges should of all rivers have been awarded its meed of praise as the 'most potent purifier in the

world.' This supreme quality of the river it was that procured for it the place of honour in the estimation of the far-sighted *rishis* of old. A well-known American traveller has recorded his experience about the germ-killing properties of the Ganges :—

'Mr. Hankin, the scientist in the employ of the Government at Agra, concluded to examine the water. He went to Benares to make his tests. He got water at the mouths of the sewers where they empty into the river at the bathing ghats; a cubic centimetre of it contained millions of cholera germs; at the end of six hours they were all dead.'

This is one of the many instances of the Hindu sages of old having dived into the secrets of Nature unaided by the most powerful scientific instruments of observation. So great was the reputation of the ancient Hindu sages, not only for their powers of introspection, their visions beatific, but for their keen-eyed insight into the kernel of material objects—tangible, semi-tangible, and intangible—that their words had the weight of gospel truths. But, my Lord, this supreme attribute of the Ganges, so potent as a germ-killer under normal conditions, has begun to disappear under the enormous strain of millions of tons of septic tank effluents that find their way into it day out day in. We, who happen to live in the country, and are in daily touch with the masses, and know their feelings, are in a position to assure Your Excellency that if it were not for the fact that they are a long-suffering people, ready even to accept what they consider outrages on their religion as inevitable, the common people and the women-folk who are never tired but are often only too glad to travel miles on foot from the interior, in summer and in winter, to have a bath in the river, would have made bold, if it were possible, to come all the way to this city of palaces, and with folded hands implore Your Excellency to save their mother Ganges from desecration. In laying it down that nothing can pollute the waters of the Ganges the authors of the Hindu religious books did not contemplate the existence of septic tanks and all that they signify. They did, however, forecast that a time would come when the river would lose its sanctity. While, therefore, I know that in supporting the cause of the people and, for that matter, of their religious feelings, I shall be leading a forlorn hope, I feel all the more a call to give the motion of my hon'ble colleague my whole-hearted support, in the hope that having regard to the modest nature of the recommendation which this Council has been asked to make, our appeal will not fail to strike a sympathetic chord in the minds of the hon'ble members."

The Hon'ble RAI SRI NATH RAY BAHADUR said :—

"My Lord, I am sorry I am unable to support the resolution moved by my hon'ble friend, as it deals with the question from the standpoint of Hindu orthodoxy. On the ground of principle religion should not be mixed up with civic questions as far as possible. The pollution of the waters of the Bhagirathi is an important sanitary question and should be looked at from that point of view alone. No advantage will be gained by importing in the discussion the aspect of religion. There is positive danger in the attempt in a mixed assembly like the Bengal Legislative Council. It has become a practice to appeal to the religious feelings of the people in matters from which religion may fairly be kept out. The cry of 'religion in danger' is now-adays heard in season and out of season, and that harmless permissive measure, I mean Mr. Patel's bill, which aims purely at widening the bounds of social freedom, is attacked from this point. In Benares, the holiest of the holy cities of the Hindus on the Ganges, a good deal of the pollution of the river water has been going on from a long time, but no one ever objected to the same on the ground of religion, though from a purely sanitary point it should be stopped. Besides, in looking at the question from the religious stand-point, there is risk of the sanitary aspect being disregarded, for what is

pollution in this sacred sense may not be insanitary at all and it is not possible now, if it ever was, to prevent this sort of pollution.

My hon'ble colleague wants to have the opinion of the orthodox Hindus on the subject, but orthodoxy has become a very cheap material nowadays. It is in the lips of many though it is seldom found lower down. No useful purpose will be served in encouraging a cant.

But I hope I shall not be misunderstood. I yield to none in my anxiety to protect the Bhagirathi from being insanitary. I would welcome any committee to investigate the point. There is positive danger to the purity of the river from the outflow of the sceptic tanks belonging to the jute mills. It is desirable that the Government should institute an enquiry into the matter as soon as possible."

The Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"Sir, this is the third resolution on the subject of the pollution of the Bhagirathi which the hon'ble mover has brought forward within the last four months. In September of last year he dealt with the question of the septic tank installations along the banks of the river. In reply, whilst Government could not accept the resolution, they agreed to amend the rules in such a way as to make it clear that the inspection of these installations was one of the prescribed and prime duties of the Inspector of Septic Tanks. Then in November we had the resolution moved by the same hon'ble gentleman about the pollution of the water by trade waste and refuse. Here again Government, whilst opposing the resolution, undertook to institute a full enquiry into the sources of pollution, the extent of pollution and the measures necessary to prevent and mitigate the evils.

The hon'ble mover has now broken new ground. His suggestion, which perhaps he considers to be a very humble one, is that a Commission should go about taking the evidence of persons living along the banks of the river asking them in the first place how they are and, secondly, whether they think that the river has been so polluted as to hurt their religious feelings. Before I express an opinion on the extraordinary request which this resolution conveys, I wish to point out that, in the first place, the enquiry which the Government undertook to institute in November last would cover this question to a certain extent so far as the finding out of the sources of pollution and the extent of it are concerned. For one of the specific points which such an enquiry will deal with would be the hygienic effects of the different kinds of contamination now going on.

Turning now to the question as to whether such a Commission, as proposed by the hon'ble mover, would serve any useful purpose or not, I must confess that it is strange to me that the futility of such a proposal did not strike the hon'ble mover. Is such a Commission to be composed of doctors? If not, who are to decide whether the health of the people concerned has been affected by the drinking of the water of the Hooghly, or by other causes? Then again is mere record of evidence to be the guiding principle? If so, what will such evidence be worth? For all that a large number of the people affected could say would be that they were ill at a certain time and that they thought that the water was bad. Surely such evidence would not be worth the paper it was written on; and it is hard to imagine a greater waste of time for a body of doctors than to be walking up and down the banks of the Bhagirathi from Calcutta to Lalgola recording evidence of such a kind from a vast heterogeneous population, especially when it is known to be a well established fact that a large number of these people suffer from many diseases which have nothing to do with the pollution of the river water.

The Maharajadhiraja Bahadur of Burdwan.

Now let me turn once again to the first part of the resolution. I cannot help thinking that the proposal instead of serving any useful purpose may in fact do more harm than good. Government are well aware of the general feelings of Hindus about the sanctity of the Bhagirathi, and I may say that the Government went into the religious point of view too some years ago and have already got the authorities of the Pundits who are versed in the Shastras and who are undoubtedly the best authorities on the subject. The Select Committee which was appointed to enquire into the working of septic tank installations in 1904 examined several pundits, such as Jogesh Chandra Shastri, Satish Chandra Vidyabhushan, Kali Prasanna Bhattacharji, Mahamahopadhaya Rajkrishna Tarkapanchanan and Rajani Kanta Vidyaratna as well as other orthodox Hindu gentlemen. Two of these, I admit, were Government servants, and the hon'ble mover would therefore rule out any opinion they might have given, but the rest were not Government servants. Their evidence was published in a supplement to the *Calcutta Gazette* in January 1905, which any one who wishes may read it; any one who does will find that the pundits were not altogether agreed as to the possibility of pollution of the sacred water of the Bhagirathi. In view of these facts and in view of the well established fact that the sanctity of the Ganges is based more on spiritual grounds than mundane and which to an orthodox Hindu like the learned Rai Bahadur must also be apparent, it is most surprising to me that the hon'ble mover by bringing in this resolution proposes to deal with the sanctity of the Ganges in such an unorthodox manner.

Ever since creation sullage of every kind has flown into the river Ganges from its source at Hardwar down to its mouth in the Sunderbans and will continue to do so even if India were to make great strides in the near future in matters of hygiene and sanitation, for it is no easy thing—nay impracticable—to expect the hundreds and thousands of villagers living on the river banks and where there are no possibilities of septic tanks even to resist the temptation of going to the river for their ablutions after their morning operations on its banks or in the meadows near by; and I hope therefore that the hon'ble mover will not come forward perhaps with another of his happy suggestions that we should have a standing army of stalwart up-countrymen to prosecute these invaders on the holiness of the Ganges, for he must be well aware that if we were to do this we would require a second army to simultaneously prevent the men of the first army from going into the river for the very purpose for which they had been appointed to check. I would therefore strongly urge the Hon'ble Member not to base the sanctity of the Bhagirathi on such frivolous grounds, especially when pollutions of a much more dangerous character do take place where there are no septic tanks.

On behalf therefore of Government I am bound to oppose the resolution as being not only unnecessary but as one which is likely to rouse the religious susceptibilities of a large number of ignorant people which might possibly cause an unhealthy and mischievous agitation.

The whole question of septic tank installations has been threshed out. After the report of the 1904 Commission was received Government obtained the services of an expert Sanitary Engineer, Dr. Gilbert Fowler, who dealt with the question exhaustively in his report. As a result of this an Inspector of Septic Tanks was appointed, and Government approved the principal recommendations of Dr. Fowler as to the construction and maintenance of septic tank latrines, and issued instructions to secure their proper working. It was in fact decided that, subject to proper safeguards and due provision for the purification of the effluents, there was no objection to septic tank latrines. Rules under the Factories Act have also been issued, because it is recognised that special precautions are necessary where there is a large labour force gathered together. If you are not to have a septic tank system, what substitute can you have? Does the hon'ble mover propose that a body of quarter

million persons should be allowed to indulge in open-air defecation, which in the areas where there are no septic tanks is a grave source of contamination? Apart from this I would remind the hon'ble mover that on his last resolution an undertaking was given to make a special inquiry as to the extent of pollution, all the different sources of pollution, trade waste, trade refuse, defecation on the river bank, etc., their hygienic effects and the legislation necessary to prevent pollution. Such an inquiry would only be prejudiced by the appointment of a roving Commission recording evidence about people's religious feelings and bodily health, and on this account too Government must oppose the motion."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I have listened to the speech of the Hon'ble the Maharajadhiraja Bahadur of Burdwan, but I must say that it is a very disappointing one. His arguments have not convinced me that I am in the wrong box. The object of my moving this resolution is that an inquiry should be made. That is what I humbly suggested to the Council. My Lord, when representatives of the people come before the Council to move resolutions they do not do it on their own responsibility. Moved as I was by the orthodox Hindus of the locality where many thousands of Hindus and orthodox Brahmins live, I thought it necessary that I should represent the matter to the Council and also to Your Excellency. There cannot be any doubt as to the sanctity of the river Bhagirathi and if the water of that river is contaminated, as I have represented to Your Excellency's Government, then it becomes a serious question after all. If I have moved the Council on two or three different occasions, I thought it necessary that it should be done and that it should be brought to the notice of Your Excellency's Government. As far as it is known, there are 38 mills in this locality, in the lower part of Bengal, and if the wastage and effluents from septic tank latrines of these mills are thrown into the river, then in whatever way my resolution is viewed, I submit most humbly that it does wound the religious feelings of the Hindus. If an inquiry is made by a committee and if evidence is recorded, I am quite sure that there would be one united voice of learned pundits and orthodox Hindus that such an act is inconsistent with the religious ideas and hurts the sentiments of the orthodox Hindus. In that view of the matter, as a representative of the Hindu subjects under Your Excellency's charge, I do repeat to the best of my ability and with all the emphasis at my command that the present pernicious practice of discharging the effluents from septic tank latrines into the sacred Bagirathi does attack Hindu sentiment and Hindu religious ideas. The reason of my putting before the Council various books of authority was simply to satisfy the Council that the river is polluted and Hindu religious sentiment is attacked. I am perfectly aware that in 1904 there was an inquiry made, but that inquiry was a provisional one; the opinions of a few pundits were recorded and the result was an unsatisfactory one. It is said by the Hon'ble Member in charge that it is no use recording evidence at all. But I say that it is the only thing necessary for the Council and for Your Excellency's Government to ascertain the real facts of the case. If I alone represent the matter, it may be considered as an *ex parte* one, but if I am supported by evidence of those upon whom the inquiring officers can rely it will be a great help to Government in coming to a satisfactory conclusion. Evidences ought not to be disregarded in the way that the Hon'ble Member in charge has done. I solicit Your Excellency's Council to consider for one moment that the object of the inquiry is to ascertain facts, to sift facts, and if these facts are brought about by evidence, then it will be a very satisfactory thing. But how such an inquiry ought to be held is a matter for Your Excellency's Government to consider. It was said on the last occasion that an inquiry was to be made. Now, I submit, what was the reason for such an inquiry? That an inquiry should be necessary is an argument entirely in my favour. And if an inquiry is to be made, it should not be partial and private but

comprehensive and public one. That is the object of my moving this resolution before the Council. It will appear that as regards the contamination of the water of the Bhagirathi there cannot be any doubt whatever. Your Excellency's Sanitary Commissioner has declared on various occasions that the water of this river is contaminated. Indeed, his good sense so much prevailed that he circularised the local officers saying that the water of the Bhagirathi should not be used by the people who live in the locality. If the river water was not contaminated, then, what was the necessity of issuing such a circular? This shows that the river water is contaminated, and if that is so, then on sanitary grounds at least I have a very strong case before the Council. If the question is considered upon sanitary grounds, then I stand upon a higher plane and I suggest that a public inquiry should be made. I again invite the attention of the Council that it is against the policy of the Government to hurt the religious sentiment of the people, and I believe there is not a Hindu who would disagree with me when I say that the sanctity of the Bhagirathi should be respected. When a comprehensive inquiry is made on the subject then the Government will be in a position to question why it is that I have brought the resolution for the consideration of the Council to-day. My Lord, it is not my intention to take Your Excellency's time unnecessarily. But I submit that I have faithfully represented the views of the Hindu community in this matter and if I have done so, no one ought to complain against me."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 16.

The Hon'ble KHAN SAHIB AMAN ALI moved the following resolution:—

This Council recommends to the Governor in Council that all practitioners who passed from non-recognised medical institutions be allowed to appear in the final licentiate examination of the State Medical Faculty to be held in May, 1919, along with the candidates who were plucked in one or two subjects in the said examination held in November, 1916.

He said:—

"My Lord, the resolution which stands in my name is a very simple one. The Hon'ble Sir Henry Wheeler in the September meeting of the Council told us that no one could be registered as a qualified doctor unless he passed the prescribed examination. My resolution is to get permission for passing the prescribed examination, which seems in no way to interfere with the desire of the Government. The Hon'ble Member also said that students who hold certificates from unrecognised schools are quacks, but I respectfully differ from him, and put in the figures of the results of examination with which I have been supplied by the Secretary of the State Medical Faculty, Bengal. These figures prove that the students who have passed during the concession period are greater in number than those from the Government schools, so it may not be said that unauthorised schools were producing quacks instead of doctors.

My Lord, the certificate-holders from the unauthorised schools are a great boon to the country and they have served heretofore in several mills, gardens and companies, but now they are removed from those bodies as their certificates, according to law, carry no weight with the Government. In this way their profession has greatly suffered, though the Hon'ble Sir Henry Wheeler had said in his speech in September that their profession is not affected in any other way, except in this, that they cannot represent themselves to be what they are not. This means that they are not recognised as doctors under the Act, though they have been practising for many years.

My Lord, when their certificates are not recognised by Government, why did mill-owners, farmers and Government servants call them for

Sir Nilratan Sarkar.

their services, and if they are called for good reputation the patient shall have to take shelter of recognised doctors for certificates. This is another hardship for the patient, if they again go to the recognised doctors, why should they grant certificates when they did not treat them? This being the state of things it cannot be said that unauthorised doctors' profession has not suffered.

My Lord, I have not got the number of the candidates who got permission to appear in the prescribed examination during the concession period. I believe their number to be a large one, and they for some reason or another could not appear in the examination; if we add to that number those who could not get timely notice being residents of villages far distant from Calcutta, the number will be still greater. It is for the benefit of students who got permission, but could not appear in the examination, and those who could not get notice, being residents of distant villages, I am placing the resolution before Your Excellency's Government for consideration.

My Lord, this House is well aware that we are badly in want of good doctors. If the permission prayed herein is accorded, it will give us a considerable number of recognised doctors and remove the wants under which we are labouring.

My Lord, various epidemics, such as influenza, war fever, cholera and malaria are ravaging the province, and Your Excellency's Government are very anxious for the lives of the people, and the number of qualified doctors being small Your Excellency's Government could not meet the requisite wants in different places. If the resolution I have the honour to move be accepted, it will help in a great measure to allay the anxiety Your Excellency's Government is feeling now.

My Lord, the passed students from unauthorised schools are many and in the last examination during the concession period they have proved that they are not quacks; if the concession asked for in my resolution be accepted, the number of qualified doctors will increase in large numbers. It may be asked why they did not take advantage of the time conceded to them. My answer to that is, that they are residents of villages where the light of notice does not go and they were in the dark; secondly, the concession was allowed on very short notice.

My Lord, supposing that they are guilty of lashes, Your Excellency's Government might overlook the same in consideration that the numbers of sufferers are not small, and that on the other hand, the public will derive great benefit by these doctors by being treated by them when they will pass.

My Lord, this House is fully aware of the needs of qualified doctors throughout the province. My resolution is an attempt for the production of such doctors. Such being the state of things I place my resolution before the merciful consideration of Government and of this House."

The Hon'ble Sir NILRATAN SARKAR said:—

"My Lord, I confess that I find it extremely difficult to realise the scope of the phrase 'non-recognised medical institutions' in the resolution. The term implies a large number of medical institutions, some defunct, other existing, some of them teaching homeopathic medicines, some of them teaching kabiraji medicine, some other again teaching in low standards the rational system of western medicine, and there may be some teaching the Unani system of medicine. I do not understand whether it is suggested that the State Medical Faculty should provide for conducting examinations in all these different branches of medicine and *pseudo*-medicine. Then, my Lord, if it is contemplated that these schools teaching the approved western system of

medicine, then arises the question of standard. The State Medical Faculty combining their efforts with those of the Council of Medical Registration have helped in the creation of order out of chaos in medical practice and medical profession, and it would be a pity if their efforts are frustrated in this way. My Lord, to seek for a hall-mark for dross instead of gold, is not to do good to anybody, but to do a world of harm to a large section of the people, for after all, it is they who suffer, some in money, many more in health, and not a small number in life. On these grounds, I think it my duty to oppose the resolution which will have the effect of whittling down whatever standard there is in our medical qualifications."

The Hon'ble Sir HENRY WHEELER said :—

"My Lord, I must apologise for, after so short an interval, taking up the time of the Council a second time on the subject of Medical Legislation in Bengal, but for the cause of it, I am not responsible.

As the Council are aware we discussed the matter on two occasions last year, once in January 1918 and again in September. On the first occasion Mr. Donald, who replied on behalf of the local Government, pointed out to the Council that the path of concession was a slippery path, and I submit that, all that has since happened amply bears out the truth of that statement. Because such and such a concession was made in one direction, we are now pressed for concessions in other directions, and if we accepted the different proposals that have been put before us from time to time, we should give away entirely the whole object for which these Acts were passed. On the occasion of the last debate I explained what these Acts were, and I do not wish to repeat what I then said, except to remind the Council that there is the Act of 1914, which set up a machinery for the registration of recognised practitioners and an authority for their supervision, while examinations were shortly afterwards instituted under the auspices of the Faculty. The second Act—the Medical Degrees Act—prohibits unauthorised people using colourable imitations of recognised degrees, and penalises the use or grant of them. That is, in outline, the policy of these two Acts, and with special reference to the subject of concessions, it is well to remember that we started with concessions. There was the first concession—and I refer to it in order to make it clear to the Council that the Act has been administered in a reasonably generous way—of the transitory clause, which originally was meant to enable existing practitioners to go up within a period of two years for the Faculty examinations, and if they could pass, to get registered. That was the scope of it as intended by the Government of India. The Government of Lord Carmichael extended that concession to students of unrecognised schools who passed out prior to the 16th March 1916, thus giving a second concession which, in effect, went further than the Government of India meant to go. But the two years then allowed did not cover the full number of examinations which they might be interpreted to have contemplated, and admission to another examination in November 1916 was conceded. In the resolution of January 1918, two requests were made, first that certain students of the Belgachia College should be allowed to go up for the Faculty examination, and secondly, that those who had failed to pass in one or two subjects at the examination of November 1916 should be allowed another chance of qualifying. For the reasons given by Mr. Donald, we were unable to accept that part of the resolution which had reference to Belgachia, but in order to meet the views of the Council, and to show our reasonableness, we granted a concession not only to the extent of giving a chance of one examination to those who had failed but of giving the chance of four. We have again only recently extended that concession up to the November examination of this year. Nevertheless we were further pressed last September to make registrable the Belgachia qualification, and I then explained why this could not be done. I do not wish to

Sir Henry Wheeler.

go over the same arguments again, although I was not successful in convincing the Council at that time. Now it is asked that all practitioners who passed from non-recognised medical institutions should be allowed to appear in the final licentiate examination of the State Medical Faculty to be held in May 1919, and I have no doubt that if we agreed to that and some of them failed, as most certainly a very large number would fail, we will be asked to hold another examination and so on till we go further down the slippery path of concession.

I am afraid I must again take the Council back to the original intention of this legislation, since it seems to be thought in some quarters that the local Government has no reason for its action except, apparently, an unreasonable desire to prevent certain innocent students from following a legitimate career which otherwise lay open to them. The facts, however, are otherwise. The action which eventually resulted in the Act of 1914, and which originated in this province in the discussions of 1908, was definitely taken at the request of the Syndicate of the Calcutta University, the medical section of the Asiatic Society, the Indian Medical Gazette (which practically voices the opinion of the medical profession), and a memorial signed by 49 leading Indian medical practitioners of Calcutta. It was taken in the interests of medical education, and at the instance of the recognised medical profession. The subsequent action which was recommended was largerly influenced by a report of the late Sir Pardey Lukis on the so-called unrecognised schools, and I know of no more able and clear-headed man, and no truer friend of the real interests of medical education in this country, than Sir Pardey Lukis. He enquired into all the facts, and on previous occasions we have been content to mention chiefly that the type of instructions given in these institutions was held to be thoroughly unsatisfactory. Even now I have no wish to rake up ancient history, but on the other hand, I want to show to the Council what the kind of education which we are now asked to recognise really was. Accordingly I will read a few extracts from his report. His first note refers to Belgachia, but as Belgachia is now a recognised school, I will pass that by. Regarding another of these self-constituted medical schools in Calcutta, he wrote, however, as follows :—

'The founder himself appears to constitute practically the whole staff of this institution ; there are no proper arrangements for either practical or clinical teaching ; there is no hospital, and very few cases attend the small, outpatient department. Nevertheless it can boast of from 150 to 200 students upon whom it bestows the diploma of V. L. M. S. (Vernacular Licentiate in Medicine and Surgery), which is exactly the same title as that obtained by the pupils of the Government Medical School at Sealdah. Indeed, I am credibly informed that students of the Campbell Medical School, who were expelled after the strike of 1906, entered themselves at once at this institution and obtained their diplomas as V. L. M. S. in the short space of six months.'

I pass on to his remark about another school—

'The hostel attached to this school has a service of about 30 beds ; there are a certain number of class rooms ; and dissections are carried on in a haphazard fashion in a tumble-down bungalow.

'The fellowship (F. C. P. S.) is only obtainable, after examination, by members of two years' standing, but the standard of preliminary education for the licentiate class (L. C. P. S.) is very low ; all that is required is that the student should have passed the middle English or middle vernacular, or the Government examination for military medical pupils. Moreover candidates are admitted to both the first and second licentiate examinations

on their merely producing evidence of having attended courses of lectures at "a school of medicine recognised by the college." It is very easy, therefore, for failed students from other institutions to obtain their diplomas; as examinations are held quarterly, the amount of time spent in attaining their object is, to say the least of it, not excessive.

'I know of at least one instance in which this happened. In 1905, two second-year military students were expelled from the Medical College for "ragging." They found shelter in this institution, and in the space of one year blossomed forth as duly qualified men with the license of L. C. P. S.

'This enterprising college has recently made a distinctly novel departure, and is now advertising the fact that for the convenience of gentlemen working in Government, mercantile and other offices, and desiring to undergo a thorough and complete training in medicine, the committee have decided to start evening classes, and that lectures will be delivered in all subjects from 6 to 8 P.M. daily.'

Coming to a third institution, he remarked as follows :—

'This has an accommodation for six in-patients: the beds however were rarely occupied, as patients were obliged to provide their own food. On first starting there were 150 students on the rolls, and by 1907 the number had increased to 300. . . . . The number of beds was later increased to 16, ... but for the reason given above, the sixteen beds have hitherto remained practically unoccupied, and the only opportunities for clinical instruction are afforded by the out-patient department where there is a daily average attendance of about 50 patients. A few class-rooms are provided, but there is no dissecting room, museum or library, and the teaching is entirely theoretical, being illustrated merely by diagrams.

'This institution, notwithstanding its many disadvantages, advertises itself as "aiming at imparting a sound knowledge of the healing art *principally on Allopathic lines*, and at investigating into truths underlying that art."

'It grants the three titles of L. C. P. S., M. C. P. S. and F. C. P. S., and announces that the M. C. P. S. is *equivalent to the* M B.'

Finally, with reference to a fourth institution, he said :—

'Notwithstanding the fact that there are at present practically no teaching appliances or facilities of any kind, this college advertises that instruction is given in various abstruse subjects, such as balneology and electro-therapeutics, that are taught nowhere else in India. . . . . .

Not being satisfied merely with the L. C. P. S., M. C. P. S. and F. C. P. S. of the other Colleges, . . . it announces that in addition to all these it is prepared to confer the diploma of L. M. S. (Nat.), which is a colorable imitation of that which is issued to its licentiates by the University of Calcutta, and with reference to which the Syndicate has already made representations to Government. Moreover, although this college has not yet been in existence for twelve months, a considerable number of diplomas have already been granted, and were distributed at the recent "Foundation Day" celebration. It is obvious that the successful candidates cannot possibly have completed their training in this short space of time; they must, therefore, have been recruited from amongst the failed or rusticated students of other colleges.'

I apologise for the length of these extracts, but they seem to me to give a vivid picture, in the words of an able administrator now deceased, of what the position was regarding which he made proposals at that time. If we are now to accept this resolution and allow students who have passed out from institutions of that character to appear at the Faculty Examination,

I submit that we shall absolutely discard all that has been previously done by our predecessors with ample justification. If, again, we are to allow these students to go up for the examination, what is to prevent similar institutions springing up and students coming forward and saying 'Oh, let us too go up for the examination.' The Hon'ble Mover justifies his proposal by saying 'I am merely asking for permission for these students to appear at an examination; the country wants doctors, and that is why I ask for this.' But I put it to the Council whether a sound system of medical education has any real value at all. If medical education is merely a matter of passing examinations, then let us do away with our rules and regulations and merely hold examinations twice a year, and on the result grant licenses to kill or cure.

I would refer here to a minor point. If we are to accept this resolution the students of the Belgachia College in its unregenerate days will be allowed to go up for the examination, although this is not a privilege enjoyed by its students now that great improvements have been effected in it. To say the least, this would be somewhat illogical.

The final point I would submit to the Council for consideration is that the Faculty created under the Act of 1914, has attempted to get its membership recognised at Home, and if successful, this will eminently be to the benefit of those who pass its examination. They have not yet succeeded in doing so, as the English authorities apparently have not sufficient confidence in the standards that are taught here. One other province, I am told, is trying to raise its standard to get over that difficulty. But if here anything is done which is calculated to prejudice even our existing standard, it will certainly be known at Home; and we shall be told that if we are going to allow anybody and everybody to go up for the examination, it is impossible to afford it recognition.

For all these reasons, I can only take up the position which I took in September 1918, and advise this Council not to accept this resolution."

The Hon'ble KHAN SAHIB AMAN ALI said:—

"My Lord, on the face of the opposition which has come from Government I would only say that the students of unrecognised schools, such as the College of Physicians and Surgeons of India and the National Medical College, who went up for the last examination produced a very good result. The students for whom I am pleading will not appear at the Faculty Examination if they do not think themselves qualified. I am asking for an extension of time as Government have already given time, but the thing is that the students who pass from unrecognised colleges have also read the same standard as those who have been plucked in the examination of 1916. My resolution does not ask for further time and in that view I place my resolution for the consideration of this Council."

The resolution was then put and lost.

LIST OF BUSINESS—ITEM No. 17.

The Hon'ble BABU AKHIL CHANDRA DATTA moved the following resolution:—

"This Council recommends to the Governor in Council that all *détenus* interned in Bengal under the Defence of India (Criminal Law Amendment) Act, 1915, be now set at liberty.

Babu A. C. Datta.

He said :—

"My Lord, much has been said and written in and outside this Council chamber on this question of internment. Much has been said on behalf of the Government and much more on behalf of the people.

The Government had made many attempts to explain their position to the people and to satisfy them that the policy of internment was forced upon them and was justified by the course of events. On the other hand, it has been throughout insisted by, and on behalf of, the people that young men have been interned without much discrimination, and that amongst the interned there are many who do not deserve the punishment. But it must be confessed that the Government has so far failed to convince the people, and the people also feel that they have so far failed to convince the Government. Their views and versions are still poles asunder. The controversy has sometimes been bitter and acrimonious. The utterances made on behalf of the Government have not infrequently been mortifying to the people. On the contrary, the agitation of the people and their representatives very often irritated the Government. I am prepared to confess that in the course of this controversy we sometimes employed language which in all conscience was strong. But at the same time it must be said that our language was strong because we felt strongly in the matter. What is language but a medium of expression of what we feel ? Whatever may be said on behalf of the Government as to the merits of the controversy, there is one thing which must be admitted, viz., that the feeling of the people was and is very keen on the question and that they honestly believe that many have been interned who should not have been interned. When the feeling is so keen and so widespread, it is the duty of the people's representives to make it known to the Government. That is a duty which we owe as much to the Government as to the people. I do maintain, My Lord, that as non-official elected members of the Council we should be guilty of dereliction of a sacred duty if we sleep over the matter and do not invite Your Excellency's attention in this official manner. I have always thought that we are a connecting link between the Government on one side and the people on the other—a conduit pipe for communicating the wishes and thoughts of the country to Your Excellency's Government. That is the view that I have always taken of our position in this Council. In fact I feel that otherwise we have no right, we have no business to be here—otherwise there is absolutely no justification for our occupation of seats in this gilded chamber. That being my conception of our duty and position here, I thought I would not be true to the people whom I have the proud privilege of representing here—I thought I would not be loyal—really and genuinely loyal—for there is enough of hypocritical loyalty in this country—I thought I would not be loyal to the Government if I had not told Your Excellency what is just at the present moment the feeling of the people on the question of internment, now that the war is over. That, My Lord, is my justification for bringing up a matter which I know is positively distasteful in certain quarters.

Only three weeks ago the feelings and wishes of the people of the entire Indian continent have been crystallised in resolutions passed by the Indian National Congress and the All-India Moslem League urging general amnesty to all political prisoners. The whole country is absolutely of one mind over this matter. There are now various shades of political opinion in this country. Some are called Moderates, some Extremists. There are also such expressions as Moderate Extremists and Extremist Moderates. We have now got another school of thought who have styled themselves Progressive Nationalist Moderates. There is however one matter in which they all agree. They all insist that the internees should now be set at liberty. If public opinion must count at all in the Councils of the Government, the recommendation which my resolution seeks to make cannot

be summarily brushed aside. In making this resolution I know and I feel I have at my back the united voice of the united nation.

My Lord, it has been urged that Mr. Justice Chandervarker and Mr. Justice Beachcroft justified the action of the Government in all but six out of eight hundred and six cases of internment. But the method adopted was hardly satisfactory and cannot be said to be in consonance with British idea and British ideal of finding out truth. The evidence was *ex parte*. It was not sifted and tested by cross-examination. These learned Judges had no more materials before them than those which the Government had to go upon. Our complaint has always been that it was the system of enquiry which was defective and which led to indiscriminate detention. Even if an angel were brought down from heaven and asked to work under such limitations no better result could have been obtained. The result is this enquiry has not succeeded in bringing about a change in the feeling and attitude of the people.

But the question arises has the verdict of these two eminent Judges been accepted by the Government? I venture to answer this question in the negative. I say that like the people the Government has also not accepted their conclusion that injustice was done only in a few cases. For, has not the Government released many internees after and in spite of their report? Has not the Government set at liberty many who were, according to the verdict of the two Judges, rightly interned? Are we to believe that they were released if the Government still thought they were guilty as they were found to be guilty by the two learned Judges.

We are grateful, My Lord, that some people have now been released. We congratulate Your Excellency's Government that justice has now been done to them. The whole country went on bended knees and begged for their release. But their prayer was not heeded at the time. Can it be contended for one moment that the Government still believes that the people now released were and are guilty? It must now be admitted that at all events with respect to the internees now released the people were right and the information upon which the Government proceeded was wrong. Belated justice however is better than denial of justice, and I take this opportunity of expressing the gratefulness of our people for setting at liberty many of our young men. While thanking the Government I feel constrained to say that release in driblets has failed to evoke that enthusiasm which a bolder policy would assuredly have produced. My Lord, this resolution is an invitation to Your Excellency's Government to take courage in both hands and to complete in one stroke what seems to be proposed to be done piecemeal. It seems to me, however, that where conciliation is to be the policy, it should be whole-hearted, worthy of the great Government of this great country. It seems to me that nothing should be done to leave a rankling sore in the minds of those to whom kindness is shown. Nothing should be done which is calculated to blight their future prospect. It seems to me that home domicile or conditional release with the inevitable Criminal Investigation Department to dog their steps and to make their lives miserable entirely lacks in the virtues of whole-hearted conciliation. I can assure Your Excellency that a more courageous policy will go far in rallying the people to co-operation with the Government at a time when it is most needful.

And after all what are these *detenus*—a mere handful of misguided youths before the Irish rebels? Look, My Lord, to the latter's boldness of conception, boldness of plans and boldness of execution, and compare them with the revolutionaries of Bengal. Even if their guilt be assumed, they would seem as mere toy revolutionaries before the Irish rebels. And yet the British Government set the latter free after a few months of detention. If that was a good policy in relation to a people living so near the theatre of the war, there cannot be any earthly reason why the same policy will not be found

hundred times more efficacious in relation to the revolutionaries or supposed revolutionaries of Bengal. Your Excellency's Government may well take a chapter from Mr. Lloyd George's administration in this respect.

Again the time is opportune for such a course of action which I am now urging. My Lord, if extraordinary times required extraordinary precautions and extraordinary measures in detaining persons on suspicion, such conditions do not now obtain. The war is at an end. The British Empire and the Allies have come out victorious and every subject of His Majesty is jubilant. Allow these people, My Lord, to come out and share in the universal joy. Allow them to come out and see for themselves the triumph of freedom, right and justice over despotism and autocracy.

Then, again, the country is on the eve of far-reaching constitutional reforms which, let us hope, will satisfy the legitimate aspirations of the people. My Lord, allow the ill-fated *detenus* to come out and see for themselves the immense possibilities of nationhood and of larger life. Allow them to come out and realise for themselves that the pledges of August 1917 are bound to be redeemed, and that as an earnest for such redemption, Sir S. P. Sinha has been given a seat in the British Ministry. Repression, My Lord, is altogether a mistaken policy in dealing with a civilised and progressive nation fully conscious of, and thoroughly imbued with, the spirit of the time. I plead, My Lord for conciliation, for conciliation is a sovereign remedy. It can make a foe a friend. I plead for more courage and bolder statesmanship on the part of Your Excellency's Government. I plead for the release of all prisoners still detained under the Defence of India Act. If Your Excellency be pleased to grant a general amnesty to them, I am sure there will be no reason to repent it hereafter. On the contrary I venture to think, and I sincerely believe, that under changed times and in changing conditions, the alleged revolutionaries will be zealous supporters of the Government. With these few words, I beg to move the resolution which stands in my name."

The Hon'ble MR. P. C. MITTER said :—

My Lord, originally I did not intend to take part in the discussion on this resolution but, My Lord, on further consideration I thought that I ought not to record my silent vote against this resolution. I thought, My Lord, that it is a duty which I owed as a representative member of this Council to tell my people through this Council some aspects of the question—aspects which are so often and so persistently ignored by some section of the public. The first point that I would ask that section of the public through the hon'ble member here, who has moved that resolution, to consider is—how is it that these dacoities and murders which were a thing of almost monthly occurrence, if not a thing of weekly occurrence certainly a thing of monthly occurrence, have ceased after vigorous action had been taken under the Defence of India Act. It is a stern fact which the hon'ble member and those who think with him cannot possibly ignore. Does the hon'ble member, and those who think with him, doubt the actual occurrence of the dacoities and murders like the Corporation Street dacoity, the Garden Reach dacoity, the Seth Bagan, the Beliaghata, the Armenian Street and the Shibpur dacoities? I need not mention more, but any one, who has read the reports, appearing even in those newspapers which have sympathy with the thoughts expressed by my hon'ble friend here, must be familiar with the sad tale of dacoities and murders. Do my hon'ble friend and those who think with him doubt the occurrence of murders like that of the late Babu Ashutosh Biswas, the well-known public prosecutor of Alipur? The murder of Babu Basanta Kumar Chatterjee, the Deputy Superintendent of Police, who was ruthlessly murdered in broad day light in a public street of Calcutta?"

The Hon'ble BABU AKHIL CHANDRA DATTA—"We do not doubt them."

Mr. P. C. Mitter.

The Hon'ble Mr. P. C. Mitter :—"Well, if these facts are not doubted what is the outstanding position? These murders and dacoities took place and they have ceased as soon as vigorous action was taken under the Defence of India Act. I am not here to deal with the question whether any change of the Defence of India Act is necessary or not because the particular proposition before the House is whether these persons ought to be released or not. If the ordinary laws of the country are not sufficient in dealing with crimes like this, and if the extraordinary powers under the Defence of India Act really stamped out the crimes which were a disgrace to society—crimes which every patriotic Indian ought to feel sorry for—and if the operations of the Defence of India Act have to a great extent stamped out these crimes, then how can any responsible public man suggest to nullify the results of such action and to let society go back to that state of anarchy in which it was before such vigorous actions were taken? I entirely endorse the view put forward by the hon'ble mover that we have a responsibility to our people and to ourselves. I only hope that that responsibility will enable us to see that it is our duty to protect innocent people from being shot down and to see that the man, who by the fruits of his industry has made some money, is not ruthlessly pillaged. It is not a question of amnesty or mercy but it is a question of the necessities of society, and if necessities of society require that certain persons, who are nothing better than a cancer to the body politic, should be treated in a particular way, it is necessary in the interest of the body politic to treat them in that way. I do hope, My Lord, that if we are to realise our responsibilities, if the Reform Scheme is to be a reality for the future well-being of our country, I do hope that gentlemen of the position of the hon'ble mover will try and come up to that standard of responsibility for which I am pleading. I know that the hon'ble mover and I do not see eye to eye on various points and I do not ask the hon'ble mover to take anything from me, but I also know that the hon'ble mover and those who think with him have great respect for judicial decisions, specially the decisions of the Hon'ble High Court. I have no doubt that if the hon'ble mover sets that standard of responsibility which we have a right to expect of him, he should have, before he urged his motion in this Council, investigated the matter so far as it was possible for him to investigate from materials available to him. The decisions of the law Courts were certainly open to him, and if he had looked to the decision of Mr. Justice Mookerjee in what is known as the Dacca Conspiracy case, he would have found what an amount of harm many persons who are now safely interned and who were particularly connected with this movement, had done to educational institutions in this country. If the hon'ble mover had referred to a report of a certain commission which had investigated into a regrettable incident in the Presidency College, he would have found what an amount of mischief was done even in an institution like the Presidency College by persons for whom he is pleading. As I have said, I have no doubt the hon'ble mover has a great respect for the High Court and for the opinions of Judges like Mr. Justice Mookerjee and Sir Lawrence Jenkins, and if he had referred to some of the judgments written by either of these eminent Judges, he would have found how the solution of many problems, for the solution of which, I have no doubt, he keenly feels, has suffered on account of the activities of the persons for whom he is pleading to-day. I have no doubt he is pleading from a false notion of mercy, but I would expect of him and others who support him to examine the whole question from the point of view of the public as a whole before a motion like this was put forward. If they examined they question from the point of view of the public generally, then false notions of mercy alone would not appeal to them. They would then consider the facts from all points of view. In the judgment of Mr. Justice Mookerjee in the well-known Rajabagan Bomb case my hon'ble friend will find how religion has been perverted and how religious ideas have been misused by the persons for whom he is pleading before this Council. My hon'ble friend says that the whole country is with him. I hope, My Lord, that my friend is too optimistic in this matter. If there is apparent noise

in some quarters, if there are men who are shouting their loudest, I am certain there are many others who feel equally strongly the other way, and if these men have not spoken out it is because that ordinarily they are not as vocal as others. Will the hon'ble member make some enquiries from the merchants, traders and money-lenders in the rural areas, who had suffered? My Lord, in the interests of that progressive realisation of the ideal for which the Congress has been pleading from 1885 onwards and in the interests of the great pronouncement which was made by the Secretary of State in August 1917, I plead with equal force that it is necessary to irradicate the cancer, that it is necessary to free the body politic of this poisonous growth, and in order to do so, it is necessary to apply the Surgeons' knife. I, therefore, say, My Lord, with all the emphasis at my command that a resolution like this should never be accepted, but, My Lord, at the same time I must say that I feel a great deal of sympathy for some of these youths—sympathy I have none with many who are nothing but unmitigated criminals—but there are those who have been led on by persons who ought to have known better, led on by platform orators who did not know what their speeches would lead to, led on by irresponsible journalists who did not know what dishonest journalism meant; and may I in connection with this last point draw my hon'ble friend's attention to the decision of Sir Lawrence Jenkins in the Alipur Bomb case? He will find there how an innocent young man, typical of many like him, living in the interior of the country, perhaps in the very district from which my hon'ble friend comes, was misled by the reading of *Jugantar*. After the minds of these unfortunate young men receive a certain turn by speeches and writings such as these, what happens? The unmitigated criminals come forward and warily enmeshes these unfortunate young men in the criminal revolutionary movement. For these young men I feel the greatest sympathy, but if I feel sympathy I also realise that in their own interest as also in the interest of society they cannot be let off so long as we do not get hostages for their future good behaviour, and if the Government has been releasing these persons by driblets, it is not because Government is anxious to create effect, but because Government is satisfied that it is safe in the interests of society to release these persons. Therefore, My Lord, I say, with the utmost respect to my hon'ble friend that it is putting the case absolutely from a wrong point of view, to suggest that it is a question of 'striking the imagination of the people.' 'Striking the imagination of the people' may be a very good thing as a newspaper phrase, or as a piece of platform oratory, but for a practical Government the phrase has no place—at any rate in the solution of this particular question. It is absolutely necessary for a practical Government to realise that men who would ruin society, must be kept back from such a purpose."

The Hon'ble RAI DEBENDER CHUNDER GHOSH BAHADUR said :—

"My Lord, the Hon'ble mover asks this Council to recommend to the Government that all *detenus* interned under the Defence of India Act be now set at liberty. Now, the persons who have been imprisoned by Government during the last few years without trial are either under the Defence of India Act or under Regulation III of 1818. All the prisoners to whom reference has been made by my friend, especially the persons whose cases were considered by Sir Narayan Chandravarkar and Mr. Justice Beachcroft, were not arrested and detained under the Defence of India Act of 1915. About 106 persons were detained under Regulation III of 1818, and I think my hon'ble friend's observations with regard to these persons are beside the point. He is not concerned in asking this Council to recommend to the Government that the prisoners under Regulation III of 1818, usually called State Prisoners, should be set at liberty. He is concerned with the large number of prisoners of whom a considerable body have been discharged from time to time within the course of the last year, and I think my friend

will acknowledge that as regards these State prisoners, about 100 in number, whose cases were considered by the two gentlemen named by him Sir Narayan Chandravarkar and Mr. Justice Beachcroft, are cases which we need not concern ourselves now. As regards the persons who have been detained under the Defence of India Act of 1915, the Government are considering their cases, and we find that from time to time announcements are made in the papers that some persons are being released. All that my hon'ble friend now wants is that without any examination of individual cases all the persons should be discharged. Why this time has been selected for the discharge of all the persons, passes my understanding? I do not mean to suggest that Government should detain these persons for all time, but what I say is this, that because at a certain gathering of our countrymen there was a resolution passed that all these persons should be released, and that a general amnesty should be declared, and that, therefore, this Council should recommend to the Governor for their discharge. I do not think that it is a very judicious appeal. It is not pretended that the war is at an end; we are still in war time; armistice is not peace, and this Act of 1915 will exhaust itself some six months after the war is formally at an end, that is after the conclusion of peace. Therefore, at the risk of being considered unpatriotic, I would say that the time is not opportune for a prayer of the kind as made by the hon'ble mover, that there should be a general amnesty. It is not necessary for me to go over the ground taken by my hon'ble friend on my right, who has given considerable time, at the sacrifice of his professional business, to this matter, in the consideration of the cases of persons suspected to be seditionists. It is true that there are no dacoities, no murders now, and we have to be thankful to the Government for the measures taken by them. I am not suggesting that, as soon as these people for whom my hon'ble friend, Babu Akhil Chandra Datta, appeals are discharged, there will be a recurrence of dacoities and murders. This is a matter for the consideration of the Government who have the papers before them of individual cases. If they think that if the discharge of a particular person will be attended with grave risk for the peace of society, then certainly they are within their rights to keep such a person under restraint, and to put him before a special tribunal, under a slightly different procedure, as is contemplated. But we must rely upon the discretion of the Government in this matter, and I think therefore that my hon'ble friend's resolution ought not to be carried."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the last two speakers have so ably put various points which are relevant to this resolution, that I might almost be content to leave it at that. But this particular matter is one in which the responsibility of the local Government is so close and obvious that, in the light of the controversy that has arisen round it, it is incumbent upon me to offer a few observations.

I regret that this resolution has been moved. It is to be regretted because, for reasons that are well known to this Council—which have been explained repeatedly by Lord Carmichael and Your Excellency, and have been endorsed by the Rowlatt Committee and Sir Narayan Chandravarkar's and Mr. Justice Beachcroft's enquiry—we cannot place before the Council in detail the many excellent reasons that we have for the action we have taken. It is to be regretted again because, however carefully and with whatever good will we approach the question, it is difficult to avoid expressions which exasperate feeling and excite controversy. Finally, I regret it in that it is speeches of the type of the Hon'ble Mover that give ground for the allegation that in Bengal the preservation of the public peace and the punishment of the wrong-doer is not always regarded as that paramount consideration which it is elsewhere. It is within the recollection of us all that an allegation on

these lines from a responsible quarter excited much resentment not long ago, and it is just because we, who are officials in Bengal, believe that sentiment to be not in accord with the bulk of the common sense and responsible opinion in the province, that we regret speeches of the type that we have heard to-day from the Hon'ble Babu Akhil Chandra Datta, in so far as they cast a slur upon the province which we repudiate. The resolution, however, has been moved, and it is a resolution which has a somewhat curious history.

On the 20th November 1917 the same Hon'ble Member sought to move a similar resolution. Your Excellency then made a detailed statement in this Council of facts, which were not known to many Hon'ble Members, and the Hon'ble Babu Akhil Chandra Datta was so convinced that he proceeded to withdraw his resolution. However, apparently between November 1917 and January 1919, his memory has weakened, and it is most strange that this should have happened, because in that interval we have had two very convincing pieces of evidence bearing out in fuller details the facts which Your Excellency related in outline only. We have had a full enquiry by the Rowlatt Committee; we have had a second enquiry by Sir Narayan Chandravarkar and Mr Justice Beacheroft, and in the face of these two facts it is strange yet again to find the Hon'ble Member for a second time coming up, unrepentant, to repeat a suggestion of which, apparently, at one time he thought better. Of course for his mandate we need not look further than a certain resolution to which reference has been made this afternoon—the resolution of the recent Delhi Congress, which having previously resolved that the preservation of law and order might safely be made over to the hands of the speakers, proceeded, with somewhat curious logic, to follow it by a proposal similar to that now made, which in the mind of all right thinking men, if given effect to, would certainly endanger the preservation of law and order. But, Sir, we are perfectly prepared to justify the action that has been taken by us, and we rest our justification on the findings of these two enquires before which the facts were submitted. We rest our justification again on the improvement which we believe has been effected in the situation in this province, and which must be patent to all. It is a somewhat melancholy fact in one aspect, but still it is true, that 1918 is the first year since 1906 that no member of the general public, excluding police officers and those assisting or believed to have been assisting the police, has been killed or wounded by revolutionary dacoits or robbers. This is so far satisfactory, although it induces certain rather melancholy reflections, and we believe that this change has been brought about by the skill of the police officers to whom the administration of these Acts has been committed, and by the extremely useful weapons which the legislature has thus put in our hands. We are now asked in this resolution to throw aside all that we have done, and to say that all the men now under restraint ought to be allowed to go free.

If we try to imagine various reasons which might be adduced for so doing, among the first I should personally have put one to which the Hon'ble Member has not even alluded, doubtless because he knows it is not true, and indeed, it is not true; that is to say, we might have expected him to urge that, whatever the revolutionary has been in the past, it is over, and therefore there is every reason now to exercise clemency. As I have said, that statement has not been made, neither is it correct. We have unfortunately the best reasons for going on with whatever checks have been imposed by the measures taken under the Defence Act. Men are still abroad who were known to be leaders in the revolutionary movement; they are still actively engaged in enlisting boys for their own ends and endeavouring to foment trouble, and simply because sedition has been checked for the moment, we should not be justified in assuming that it does not exist.

I pass to what really is the Hon'ble Mover's main reason for urging clemency, viz., his allegation that amongst the interned many do not deserve

Sir Henry Wheeler.

punishment. It is almost incredible that in the face of the enquiries that have been cited, despite the fact that, of 806 investigated cases, action was found to have been justified in 800 by the enquiring committee, and in the face of the detailed reasons which they have given in their report, justifying the method of their enquiry and their suggestions, he is able to get up and tell us that he still believes that many are not guilty. With that argument I cannot cope. I rest my case on the two documents of which I have made mention, and I leave it at that.

Then we come to a third reason, namely, that after all, even if there was a revolutionary movement, it was but a toy revolution. In answer to that I again ask Hon'ble Members to refer to the Rowlatt Committee's report, and the description it contains of what this movement really was.

Lastly, we come to the argument that we may safely take this action as the war is over. As a matter of fact, the war is not over; an armistice has been signed, but the state of the world is not exactly what one would call one of utter tranquillity even now. In the second place, this revolutionary movement in Bengal was not the product of the war. It was accentuated by the war, but there is no *a priori* reason why, because of the fact that the war is over, we should discard measures which we have found so useful. I submit that none of these arguments will hold water, or would be sufficient justification for taking the action which the Council is asked to recommend.

But, Sir, although we have not adopted this policy of general amnesty, and do not intend to adopt it, yet I would like to explain to the Council what we have done, the more so, as in this connection the Hon'ble Babu Akhil Chandra Datta has allowed his feelings to lead him into a statement which is a vicious travesty of the true facts, for which I can see no justification. He has referred to the policy of release, and he has said that the fact that men have been released shows their innocence. He asserts that justice has now been done; that the people were right and the Government wrong; that belated justice is better than no justice. May I draw the attention of the Council to Your Excellency's speech delivered in November 1917 in which you referred to this policy of release. It was a statement which ought to be within the Hon'ble Member's recollection, and it afforded a clear explanation of the lines upon which we have been proceeding. Your Excellency then said :—

'I do not say for one moment that all those dealt with are guilty in equal degree. Certainly not. There are many who have been led to join the revolutionary movement under a misapprehension as to what they were doing. In many cases the regret which is often expressed by such men for their past action is no doubt perfectly genuine. And it is the policy of Government deliberately adopted with a full knowledge of all the facts, steadily to release such men as can in our judgment be set free without unduly endangering the safety of society and the public peace. Men who have been guilty only in a minor degree and for whose good behaviour security can be obtained, have been set at liberty from time to time during the year. . . . These men are on their honour. It is up to them to see that they do not abuse the trust which has been placed in them.'

In the face of that explanation I am amazed to find the Hon'ble Member making the—I can only characterise it—most mischievous statement which he has made this afternoon. We have released some of these men because we hold their confessions in our hands; they have given promises of future good behaviour, and the situation being as it is (and of course the armistice has cleared the air) Government have no desire to appear to be vindictive in this matter. We believe that these men have learnt their lesson, and we

exercise mercy believing that it will have a good effect, and that the experiment was at least worth trying. The actual facts are that in one way or other we have dealt under the Defence of India Act with some 1,062 men, excluding cases of persons expelled from the province or cases otherwise disposed of. Of these we had prior to the armistice released many for the reasons I have stated, but we have accelerated our policy since the armistice was declared. We have released 481 in all, and we are in the process of releasing 196 more, thus making a total of 677. Of the remaining persons still detained, some 385 are in various domiciles, of whom 126 are in home domicile. We shall pursue this policy according as circumstances develop and according as we think ourselves justified in doing so, but I have cited these figures because I have seen it stated in some quarters that Government is releasing *detenus* by thousands, whereas we never even interned them by thousands. They also fully bear out the contention that, in exercising its powers under this Act, the local Government has not enforced a greater degree of stringency than the circumstances of the time required, and to the extent that circumstances permitted has already shown, and is showing, mercy. Beyond this we are not prepared to go, and I cannot advise the Council to accept this resolution."

The Hon'ble BABU AKHIL CHUNDRA DATTA said :—

My Lord, I would like to say a few words in answer to the arguments brought forward by the Hon'ble Mr. Provash Chandra Mitter. One argument is that dacoities and murders have decreased; that is a fact about which there cannot be any controversy whatsoever. But in answer I have to say this: It does not follow from the fact that there were dacoities and murders and that these dacoities and murders have ceased, it does not follow that all the interned people were concerned in these heinous crimes. Before I proceed further I must make my position absolutely clear. I have never suggested either to-day or on any other occasion that all those people that have been interned are absolutely innocent. I have only said—I have on the other hand distinctly made it clear—that there must be many who were not guilty.

As regards the argument that dacoities and murders have decreased under the vigorous administration of the Defence of India Act, I want to submit this. I have also said on many occasions that I did not suggest for one moment that the authorities of the Government who deal with these matters, deliberately interned persons whom they believed to be innocent. I have never said that. I have always said this—that the system adopted for the enquiry was defective and that the inevitable result of that was that in some cases there must have been blunder of judgment. I use the words 'blunder of judgment' advisedly: that is my position on this question.

As regards the Hon'ble Mr. P. C. Mitter's argument that dacoities and murders have decreased, I hope my hon'ble friend will listen to my argument and give his best consideration now and hereafter over this argument. Supposing 100 men were guilty of murders and dacoities and supposing 1,100 men have been interned—I do not say that that is the figure, but I take this figure just for the purpose of illustrating my proposition—does not that argument apply equally well in that case also; although 100 men committed murders and dacoities and 1,100 men were interned, still that argument of the decrease of dacoities and murders applies equally well. Supposing some of

Babu A. C. Datta.

us now present in this Council Chamber were interned still that argument would be applicable, *namely*, that the crimes have now decreased. That argument is certainly fallacious. Of course, if my position was this—that all the people interned are innocent, then certainly this argument has some force but not otherwise.

Then, My Lord, I have also said supposing they are guilty—I put my case on that assumption—supposing they are guilty and even in that case the question arises whether they should be released or not. I do not know what my friend's answer will be to the release of Sien Finners : most regrettable atrocities were committed by them, but it was still thought proper and expedient in the interests of the country not to detain them *ad infinitum*. 'Once interned always interned' is an argument which is never accepted in any country. My hon'ble friend Mr. P. C. Mitter may be hard and unrelenting, but the Government has not been hard and unrelenting, and on behalf of the people, I feel it just to express their gratefulness for releasing some people recently.

My friend refers to my own district from which it is said many young men—innocent youths—that is his expression—were misled. Now that is precisely one of the reasons why I feel strongly on this matter. I do feel that there must have been many young men—I mean boys of very tender age—who were captured by anarchists and who were misled, but having regard to their tender age and having regard to the fact that they did not go deep into the movement, I have always thought from the standpoint of the people and from the standpoint of Government that it would be better for the country and for Government to reclaim them instead of interning them *ad infinitum* and making them confirmed anarchists. If it is permissible, I would remind Your Excellency that that is what on a certain occasion I tried to explain to Your Excellency in a private interview. I might refer to one particular case of a young lad of 14 or 15 years who was ordered to be interned and the order went from Calcutta to Comilla. Then, My Lord, the boy presented himself before the Superintendent of Police of my district under the orders received from Calcutta. The District Superintendent of Police seeing the young boy was simply amazed and thought it would be ridiculous to intern such an immature boy. He then made a reference to the higher authorities and the result was that the boy was not interned. This is one class of cases to which I would invite Your Excellency's careful attention.

Then about the observations of the Hon'ble Member in charge, I do not know if I deserved them but I have got them. I feel that he has done some injustice to me. I can assure him that if I have moved this resolution, I have moved it because I honestly feel that in some cases there has been blunder of judgment and in some other cases too young lads had been interned who ought to have been reclaimed : in either class of cases I may say that I believe that most of these young men, if released, would be staunch supporters of Government instead of being enemies. Because I honestly believe this I have brought up this matter before the Council. I need hardly say that it is not a pleasant duty for a Member of this Council to do this task. After all we know that this is not a very pleasant task, and I do not think that any man is so perverse as he would needlessly incur the displeasure of anybody if he does not really feel in the matter. Now it is said, My Lord, that some people have been released not because Government do not think them to be guilty but because Government do not wish to be vindictive. That is precisely my submission. I have never said that they are not guilty; but I say because they are guilty it does not follow that they should be detained for ever. What, after all, My Lord, is my resolution? My resolution is simply this—that the policy of

Babu A. C. Datta.

release that has been inaugurated may be given effect to more completely, nothing more or nothing less than that. I do not say that Government are vindictive even in respect of the persons who have not been released. If Government have not released that is because Government feel that it will not be good for the country: whereas I believe that if they are released now, especially at this time when the war is over, on the eve of the constitutional reforms, they are not so perverse in their nature that they would not appreciate the kindness of Government. That is the real reason as to why I have brought up this matter."

The resolution was then put and lost.

ADJOURNMENT.

The Council was then adjourned to Tuesday, the 18th February, 1919, at 11 A.M., in Government House, Calcutta.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA,

The 7th February, 1919.

B. S. Press—21-2-1919—3757J—350—T. C. S.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 18th February, 1919, at 11 A.M.

Present:

HIS EXCELLENCY THE RIGHT HON'BLE LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MAJOR-GENERAL W. H. B. ROBINSON, C.B., I.M.S.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. M. C. McALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. C. H. BOMPAS, C.S.I.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. S. G. HART.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BRAJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

The Hon'ble Mr. W. H. Phelps made an oath of his allegiance to the Crown.

QUESTIONS AND ANSWERS.

LIST OF BUSINESS—ITEM No. 2.

The following questions which had been starred were put and answered :—

By the Hon'ble Babu Ambika Charan Mazumdar:—

***1.**

The case of an Assistant Maste of the Faridpur *Zila* School.

(*a*) Is it a fact that an Assistant Master in the Faridpur *Zila* School has been continuously officiating for five years without being confirmed in his appointment, although several vacancies occurred during this period?

(*b*) Is it a fact that on two or three occasions this Assistant Master was recommended by the Headmaster, by the managing committee of the school and its Magistrate-President, as well as by the Divisional Inspector of schools, but a Muhammadan was selected?

(*c*) Is it a fact—

(*i*) that the Muhammadan gentleman so appointed did not stick to the post or did not join at all; and

(*ii*) that on the last occasion, although the officiating Assistant Master was again recommended, another Muhammadan gentleman who is an outsider, was appointed, but has not yet joined the post or given the school authorities any information as to his intentions?

(*d*) Do the Government propose to confirm the Assistant Master in his officiating appointment?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Babu Satyapada Lahiri, to whom the question apparently refers, has been officiating in temporary and permanent vacancies since 1914. He has not yet been confirmed in any post.

(*b*) On two occasions, in 1915 and 1917, he was recommended for appointment to two permanent vacancies in the school, but as the number of Muhammadan teachers in the school was disproportionately small (only 2 out of 15), the appointment of Muhammadans to these vacancies was considered proper

(*c*) (*i*) It is not a fact so far as the vacancy in 1915 is concerned.

(*ii*) Two Muhammadans were successively appointed to the vacancy caused in 1917, both of whom failed to join.

(*d*) Babu Satyapada Lahiri is now officiating in place of a permanent teacher who has been deputed for training. His permanent appointment in connection with the vacancy last mentioned is under the consideration of the Director of Public Instruction."

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***11.**

Congregation of *sadhus* and *sannyasis* at *Jagannath Ghât.*

(*a*) For what length of time since the establishment of British rule in Calcutta have the *sadhu* and *sannyasi* mendicants been congregating at *Jagannath Ghât* on the bank of the river Hooghly in the town of Calcutta, and especially during the season of *Poush Sankranti*, with a view to a pilgrimage to Gangasagar?

(*b*) Is it a fact that these people are considered holy by the generality of the Hindu community?

(*c*) Were any complaints made to the police, regarding the behaviour of these persons, by any Hindu who had occasion to use this bathing *ghât* on the 3rd or 4th January, 1919?

(*d*) Is it a fact that alms are freely given to these people on such occasions and that no objections have ever been made to their congregating on the top platform of the *ghât*?

(*e*) Did Sub-Inspector Galloway of the Port police on or about the 4th instant arrest about a hundred *sadhus*, including female *sannyasinis*, at this *ghât* where they had been waiting for boats to carry them to their place of pilgrimage in Saugor Island?

(*f*) Were these pilgrims prosecuted before a magistrate on charges of obstructing a public thoroughfare and of begging for alms and was the prosecution subsequently withdrawn?

(*g*) Is it true that some of these *sadhus* were slapped and kicked, and had their cooked food spoilt and that the idols of *sadhus*—Damodar Giri, Kishenji and Harihar Giri—had been maimed and broken?

(*h*) Are the Government considering the desirability of placing a Hindu police-officer on duty at such pilgrim *ghâts*?

Answer by the Hon'ble MR. KERR:—

"(*a*) The practice has prevailed for many years.

(*b*) Yes.

(*c*) No.

(*d*) Alms are freely given to these people. No objections to their congregating on the top platform of the *ghât* have been brought to the notice of Government.

(*e*) The arrests were made, not at the *ghât*, but on the Port Commissioners' land above the *ghât*. The number of pilgrims proceeding to Saugor Island was unusually large this year, and on the occasion referred to, the Port police had to deal with over 25,000 persons who had congregated at the *Jagannath Ghât* and on the Port Commissioners' land above it and refused to obey any orders with the result that traffic was practically suspended. In order to restore order, a certain number of arrests were then made at the urgent request of the Port Commissioners.

(*f*) No. The Deputy Commissioner, Port police, discharged the accused.

(*g*) The Deputy Commissioner, Port police, was present throughout, but no complaints of this nature were made to him.

(*h*) A Hindu officer is now in charge of the section which includes the *Jagannath Ghât*."

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***111.**

(*a*) With reference to the *communiqué* issued by the Controller of Cotton Cloth from Bombay on the 30th January, 1919, and published in the Calcutta papers on the following day, will the Government be pleased to state whether the prices of *dhoties, saris* and *shirtings* now ruling in Bengal are not higher than what the poorer class of people in this province can afford to pay? High price of cloths.

(*b*) What are the rates at which such articles of clothing are being sold in this cold season to the poorer class of people in Calcutta and in the interior of the province?

(*c*) Do the Government get periodical statistics from district officers as to the ruling prices of such goods, as in the case of rice? If not, why not?

(*d*) Have the Government of Bengal drawn the attention of the Government of India during the past six months to the state of the Calcutta cloth-market in this respect and moved that Government to put the provisions of the Cotton Cloth Act, 1918, into operation for the benefit of Bengal and for supplies of standard cloth in this province, as the Governments of Bihar and Orissa, the United Provinces and the Punjab have done?

(*e*) When can this province expect supplies of such standard cloth and at rates similar to those fixed by the Controller for the other provinces?

Answer by the Hon'ble Mr. Donald:—

"(*a*) The prices of *dhoties, saris* and *shirtings* are undoubtedly high compared with pre-war prices, and the poorer classes must be feeling the effects. It is to be noted, however, that the prevalence of abnormally high prices is common to most parts of the world, as the result of the war, the consequent decrease of production, difficulties of freight and the diminished purchasing value of money.

(*b*) A statement showing retail prices in Calcutta for the month of January is laid upon the table. The prices in the interior vary from place to place.

(*c*) Government get weekly statistics of the prices of various cloths from all district officers.

(*d*) Government have been in communication with the Government of India and the Controller of Cotton Cloth on the subject. For the answers to the latter part of (*d*) and (*e*) the Hon'ble Member is referred to the statement which will be made in connection with the resolution on the same subject which will be moved at the present Council meeting."

ement referred to in the answer by the Hon'ble Mr. Donald *to question No. III (Starred), asked by the Hon'ble* Rai Debender Chunder Ghose Bahadur *at the Council meeting of the 18th February, 1919, showing the retail prices in Calcutta for certain classes of cloth in common use.*

	January, 1919.									
	1st.	2nd	3rd.	4th.	5th.	6th.	7th.	8th.	9th	10th
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
(mark) Sari	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0	3 15 6	3 15 0
(Lion mark)	4 3 6	4 3 6	4 3 6	4 3 3	4 3 3	4 3 6	4 3 6	4 3 6	4 3 6	4 3 0
Lakmi 9 yds. ..	3 1 0	2 15 0	2 15 6	2 15 6	3 2 4	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0

* Imported. † Local product.

JANUARY, 1919.

	11th.	12th.	13th.	14th.	15th.	16th	17th.	18th.	19th.	
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	R
* Padlock (mark) Sari 9 yds.	4 8 6	4 8 0	4 8 6	4 8 6	4 10 0	4 10 0	4 9 6	4 9 6	4 9 6	
*Sada Dhuti (Latu mark) 9 yds.	4 3 0	4 3 6	4 3 6	4 5 0	4 5 0	4 5 0	4 5 0	4 5 0	4 5 0	
† Banga Lakmi 9 yds. ..	3 1 0	3 1 0	3 1 0	2 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	

JANUARY, 1919.

	21st.	22nd	23rd.	24th.	25th.	26th.	27th.	28th.	29th.	30th.	
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	R
* Padlock (mark) Sari 9 yds	4 9 6	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 8 0	
* Sada Dhuti (Latu mark) 9 yds	4 5 0	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 2 0	
† Banga Lakmi 9 yds.	3 1 0	3 1 0	3 1 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	

* Imported. | † Local product

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***IV.**

Municipal Administration of Serampore and Bansberia.

(*a*) With reference to Bengal Government Resolution No. 287 M., dated the 27th January, 1919, will the Government be pleased to state—

(*i*) what measures, if any, are proposed to be taken to set right the present municipal administration of Serampore and Bansberia in the Hooghly district; and

(*ii*) whether Government asked the several District Magistrates of the Dacca and Chittagong Divisions for explanations regarding their negligence in not making the usual inspections of the several municipal institutions in their districts?

(*b*) If so, will the Government be pleased to lay on the table the several explanations as rendered by them?

(*c*) If no explanations have been asked for, can the Government give any reason for such remissness on the part of the district officers?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) (*i*) It is the duty of the municipal commissioners to reform the administration. A reference on the subject is being made to them.

(*ii*) The answer is in the negative.

(*b*) This question does not arise.

(*c*) In the absence of explanations, Government are not in a position to ascribe reasons."

By the Hon'ble Rai Srinath Ray Bahadur:—

***V.**

High Court decision in the case of the Secretary of State *vs.* the Maharajadhiraja Bahadur of Burdwan.

(*a*) Has the attention of Government been drawn to the recent decision of the Calcutta High Court in the case of the Secretary of State *vs.* the Maharajadhiraja Bahadur of Burdwan, reported in 22 C. W. N., p. 872, that *chars* formed in non-navigable rivers are not resumable under Bengal Regulation XI of 1825?

(*b*) Are the Government aware that in many small and non-navigable rivers in the Mymensingh district such *chars* formed after the survey settlements of 1851-52 are being resumed and assessed?

(*c*) If so, are the Government considering the desirability, in view of the above decision, of stopping further proceedings in these resumption cases and of releasing those lands which have already been resumed?

Answer by the Hon'ble MR. MCALPIN :—

"(*a*) The decision of the Calcutta High Court referred to by the Hon'ble Member is under appeal before the Privy Council. The effect of the decision has not however been correctly stated in the question.

(*b*) Government have no definite information, but understand that revenue is being assessed on such accretions as are resumable under the Bengal Regulations.

(*c*) No."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***VI.**

(*a*) Is it a fact that industrial surveys were undertaken by the Government of Bengal at various times? Industrial surveys and improvement o industries.

(*b*) If so, has anything definite resulted from any of these surveys?

(*c*) Is it a fact that none of these surveys was made by officers with a technical knowledge of industry?

(*d*) Is there any appropriate organization of specialised experts for the improvement of the industries of Bengal?

(*e*) Has any substantial advance been made to remedy the deficiencies, if any, after the appointment of the Director of Industries, Bengal, and what definite progress has been made in the development of industries after this appointment?

(*f*) What steps, if any, are the Government contemplating to improve the local industries?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes, noticeably by Messrs. Collin, Cumming, J. N. Gupta, Swan and Ascoli.

(*b*) The general improvement of technical education and particularly the appointments of a Superintendent of Industries and of a Government School of Weaving (with an expert as its Principal) may be taken as definite results of these surveys, while action was also taken towards the provision and extension of State scholarships for industrial education.

(*c*) Yes.

(*d*) Except the organisation provided by the Indian Munitions Board, of which the encouragement of local industries is a prominent object, there is no organisation of specialised experts. There is however an expert at the head of the Government School of Weaving, and there are experts in the Forest and Agricultural Departments, while an expert has been engaged as chemist to the research tannery now being established in Calcutta.

(*e*) The Director of Industries, almost as soon as he was appointed, was made Controller of Munitions for Bengal, and his activities have been largely directed to the fostering of such local industries as were of immediate value in relieving the war situation. Much has been done in that way as explained in a speech delivered by His Excellency on the 15th November last. A further and fuller account of some of the results achieved can be found in the Indian Munitions Board hand-book, a new edition of which is shortly to be published.

(*f*) Government are awaiting a pronouncement from the Government of India on the Report of the Industrial Commission before undertaking the development of the Department of Industries, but such development is regarded as one of the important needs of the province at the present time."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***VII.**

penditure on gation works.

(*a*) Will the Government be pleased to state the amount of money spent this year in each of the various districts of Bengal on irrigation works and the nature of the work done in each district?

(*b*) Are the Government considering the advisability of spending more money on irrigation for the benefit of the *raiyats* from the next year?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) The irrigation works in Bengal are—

(*i*) The Midnapore Canal,
(*ii*) The Eden Canal,

from which areas in the districts of Midnapore, Burdwan and Hooghly are irrigated.

The amount provided for expenditure in the revised budget of the year 1918-19 is as follows :—

On the Midnapore Canal—

	Rs.
Extensions and improvements	1,600
Maintenance and repairs (The nature of these works are such as are found necessary for maintaining the canals in an efficient con dition for purposes of navigation and irrigation)	87,000
Revenue establishment, which is necessary to be maintained for collection of irrigation water-rates and navigation tolls	33,000
Engineering establishment	19,000
Tools and plant and Refunds	17,200
The total expenditure will amount in the year 1918-19 to ...	1,57,800

On the Eden Canal—

	Rs.
Minor improvements	8,500
Maintenance and repairs	19,800
Revenue establishment	3,676
Engineering establishment	6,024
Tools and plant	350
Total ...	38,350

(*b*) The only new irrigation work now under consideration by this Government is the Damodar Canal Project. The project was submitted to the Government of India in the year 1915 and was received back with a note by the Inspector-General of Irrigation in 1917 for further consideration. In 1917-18 further surveys were taken up and continued in 1918-19. All the necessary data have now been collected and the project is being revised in accordance with the more recent instructions by the Inspector-General of Irrigation. During the year a provision of Rs. 4,430 has been made for expenditure on necessary surveys and this amount will be spent during the current year. In regard to future expenditure, this will depend on the sanction by the Secretary of State As far as can be foreseen at present, the cost will be sixty lakhs."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***VIII.**

Are the Government considering the advisability of observing the day of *Saraswati Puja* as a closed holiday in the Bengal Secretariat and its attached offices, so far as the attendance of Hindu assistants is concerned? *Saraswati Puja* holiday.

Answer by the Hon'ble MR. DONALD:—

"The day of the *Saraswati Puja* is a public holiday under the Negotiable Instruments Act The Bengal Secretariat and its attached offices are therefore closed for that day. Such urgent work as the exigencies of Government service make imperative is done as far as possible with non-Hindu assistants"

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble Khan Sahib Aman Ali:—

1.

(*a*) Are the Government aware that in the month of February, 1918, a general election was held in the Kalna subdivision for the constitution of the Kalna Local Board? General election for the constitution of the Kalna Local Board.

(*b*) Is it a fact that a list of voters was prepared by Babu Ashutosh De, Circle Officer of Kalna?

(*c*) Is it a fact that the list of 1914 prepared by the same officer contained electors whose number was nearly double of those in the list of 1918 and that a large number of qualified electors was deprived of their franchise?

(*d*) Is it a fact that the circle officer struck off about half the number of names of electors sent to him by the President of the panchayat without giving any reason?

(*e*) Is it a fact that in the case of the Purbasthali chaukidari union, and especially the village Chopi, a large number of new names was put in the current list?

(*f*) Is it a fact that a large number of qualified electors applied to the District Magistrate for the inclusion of their names in the list, and that the applications were sent to the circle officer for disposal, who rejected nearly 90 *per cent.* of the petitions without inquiry?

(*g*) Is it a fact that in the Manteswar thana the circle officer is alleged to have used undue influence with some of the applicants who insisted on their right to exercise their franchise?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) The answer is in the affirmative.

(*b*) The officer's name is Babu Ashutosh Deb.

(*c*) There were 7,796 voters on the register in 1914 and 4,411 on the revised register prepared in 1918. A special inquiry has been made in four unions and it has been found that a considerable number of persons qualified to vote were omitted from the register in the latter year.

(*d*) It is reported that no names were sent up by the President Panchayat.

(*e*) The number of persons entered in the register fell from 286 to 201 in Purbasthali union and from 72 to 51 in Chopi village.

(*f*) Five petitions asking for the entry of 57 persons on the register were presented to the District Magistrate. They were sent to the Circle Officer not for disposal but for inquiry and report, and the District Magistrate himself passed orders on receipt of his report.

(*g*) Government have no information as to the allegations."

By the Hon'ble Khan Sahib Aman Ali:—

2.

Entry passes for taking forest produce, etc

(*a*) Are the Government aware that the forest officers of the Chittagong Hill-tracts require an entry fee (double if not paid at the time of entering) from every person, including those serving there, who take forest produce, etc., for domestic use?

(*b*) Is it a fact that the forest rules require that entry passes need only be obtained in the case of persons wishing to enter the forest for the purpose of cutting or purchasing forest produce for export?

(*c*) If so, are the Government considering the desirability of directing the Divisional Forest Officer not to insist on entry passes except in the case of persons who are dealers in the above produce?

Answer by the Hon'ble MR. MCALPIN :—

" (*a*) The rule is as follows :—

' Persons wishing to enter the Chittagong Hill-tracts either for the purpose of cutting forest produce in the reserved or unclassed State forests (except those who go to cut sunn grass in the Government kholas) or for the purpose of purchasing from the hillmen forest produce, for export to the Chittagong Collectorate, must apply for an entry pass at one of the Forest Department toll-stations, and pay the prescribed fee of 8 annas per head.'

If this rule is infringed an offence is committed. Double entry-permit fees are not demanded, but offenders generally prefer to compound their offence by paying an additional 8 annas rather than go to Court.

Local residents of the Hill-tracts are not however required to take out entry-permits.

(*b*) The correct rule has been quoted above.

(*c*) No change in the existing rules regarding entry-permits is at present under the consideration of Government. The fact that entry fees have to be paid was taken into consideration when the existing schedule of rates for forest produce in the Hill-tracts was drawn up."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Call for tenders by the Public Works Department, district boards and municipalities.

(*a*) Will the Government be pleased to state whether it is the practice in the divisional offices of the Public Works Department and in the various district boards and municipalities to confine the call for tenders among only a limited number of contractors?

(*b*) Is it a fact that the late Executive Engineer of the Dacca Division made a departure from this practice by openly advertising, in newspapers and otherwise, for tenders from any contractor who satisfied certain conditions, including the making of a deposit?

(*c*) Is it a fact that the construction of large public buildings, such as the Mitford Hospital, has been undertaken by contractors at rates much below the Public Works rates?

(*d*) If the answer to clauses (*b*) and (*c*) above be in the affirmative, will the Government be pleased to state whether the works were satisfactorily done by these outside contractors?

(*e*) Are the Government considering the desirability of directing that all tenders of the Public Works Department and local bodies should henceforth be openly advertised for in newspapers and otherwise?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The Hon'ble Member is referred to the reply given by the Hon'ble Mr. O'Malley to a question on the same subject at the meeting of this Council held on the 26th November, 1918, from which it will be seen that the general practice of the Public Works Department and of local bodies is to call for tenders publicly, the degree of publicity varying with the importance of the work.

(*b*) and (*c*) The Executive Engineer, Dacca Division, followed the general practice and in the particular case referred to, viz., the reconstruction of the Mitford Hospital, received tenders at rates varying from $2\frac{1}{2}$ to $7\frac{3}{4}$ *per cent.* below the estimated rates. Such a result occurs frequently.

(*d*) Works in the Dacca Division are being satisfactorily carried out under the supervision of the officers of the Department by contractors who reside in the neighbourhood.

(*e*) As a result of certain recommendations contained in the Report of 1917 of the Public Works Department Reorganization Committee and in accordance with the conclusions thereon arrived at by the Government of India, the attention of all Public Works Department officers has again been drawn to the desirability of widely advertising for tenders with a view to the further encouragement of private enterprise in regard to the execution of Public Works."

By the Hon'ble Babu Brojendra Krishor Ray Chaudhuri:—

4.

Supply of seeds of jute and paddy to cultivators.

(*a*) With regard to the method of distribution of the seed of *Kakya Bombai* jute and *Indrasail* paddy, referred to in paragraph 13 of the last annual report on Agriculture, will the Government be pleased to state how far the expectations of the Department have been realised in this matter?

(*b*) What arrangements are there to ensure that the growers, to whom the packets and bags of seed are ultimately supplied, follow the directions given by the Department for reserving the resulting crop for seed next year?

(*c*) How many cultivators have been so supplied with seeds, and in what areas?

Answer by the Hon'ble MR. MCALPIN :—

"(*a*) The system of distribution has proved an effective method of distributing new varieties in the districts and has rendered it possible to give the cultivators of all the districts in East and North Bengal an equal chance of growing the seed instead of only those who live near the Central Farms.

(*b*) This depends on the people themselves: but every endeavour is made by the district staffs of the Department to see that the people understand the principles underlying the seed distribution.

(*c*) A statement is laid on the Library table. 165.076 cultivators have been supplied with *Kakya Bombai* jute seed and 25,688 with *Indrasail* paddy."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5.

Price of certain specimens of *dhoti*.

With reference to the statement laid on the table in answer to my unstarred question No. 23 asked at the meeting of the Council on the 19th December, 1918, will the Government be pleased to lay a similar statement on the table covering the period from the 18th November, 1918, up to date?

Answer by the Hon'ble MR. DONALD :—

"The statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. DONALD *to question No. 5 (Unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 18th February, 1919, showing the retail prices in Calcutta for certain classes of cloth in common use.*

	NOVEMBER, 1918.											
	18th.	19th.	20th.	21st.	22nd.	23rd.	24th.	25th.	26th.	27th.	28th.	29th.	30th.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Padlock (Mark) Sari 9 yds.	Market closed.	3 6 0	Market closed.	3 6 0	3 4 0	3 4 0	3 3 0	3 2 0	3 2 0	3 2 0	3 2 0	3 2 0	3 2 0
Sada Dhuti (Lathi-mark) 9 yds.		3 1 0		3 1 0	3 1 0	3 0 0	3 0 0	3 0 0	3 0 0	2 15 0	2 15 0	2 15 0	2 15 0
Banga Lakmi 9 yds.		2 15 0		2 15 0	2 15 0	2 15 0	2 14 6	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6

	DECEMBER 1918.											
	1st.	2nd.	3rd	4th.	5th.	6th.	7th.	8th.	9th.	10th.	11th.	12th.	13th.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Padlock (mark) Sari 9 yds.	3 2 0	3 2 0	3 1 0	3 2 0	3 4 0	3 5 0	3 6 0	3 6 0	3 10 0	Market closed.	3 10 0	3 14 0	4 0 0
Sada Dhuti (Lathi-mark) 9 yds.	2 15 0	2 15 0	2 14 6	2 14 0	3 0 0	3 2 0	3 2 6	3 2 6	3 2 6		3 7 0	3 8 0	3 13 0
Banga Lakmi 9 yds.	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6		2 5 6	2 5 6	2 5 6

* Imported. | † Local product.

DECEMBER, 1918.

	14th.	15th.	16th.	17th.	18th.	19th.	20th.	21st.	22nd.	23rd.	24th.	26th.	26th.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Padlock (mark) Sari 9 yds.	4 2 0	4 3 0	4 2 0	4 2 0	4 2 0	4 2 0	Market closed.	4 5 0	4 6 0	4 3 0	4 3 0	4 3 0	4 3 0
Sada Dhuti (Latu mark) 9 yds.	3 13 0	3 13 0	3 12 6	3 12 6	3 12 0	3 12 6		3 14 6	3 14 6	4 1 0	4 1 0	4 3 0	4 3 0
Banga Lakmi 9 yds.	2 5 6	2 5 6	2 5 6	2 5 6	2 5 6	2 11 0		2 10 0	2 10 0	2 13 0	2 15 0	2 15 0	2 15 0

DECEMBER, 1918. JANUARY, 1919.

	27th.	28th.	29th	30th.	31st.	1st.	2nd.	3rd.	4th	5th.	6th.	7th.	8th.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Padlock (mark) Sari 9 yds.	4 3 0	4 2 6	4 2 6	4 2 6	4 1 0	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0	4 0 0
Sada Dhuti (Latu mark) 9 yds.	4 3 0	4 3 6	4 3 6	4 3 6	4 3 6	4 3 6	4 3 6	4 3 6	4 3 3	4 3 3	4 3 6	4 3 6	4 3 6
Banga Lakmi 9 yds	2 15 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	2 15 0	2 15 6	2 15 6	3 2 4	3 1 0	3 1 0	3 1 0

JANUARY, 1919

	9th.	10th	11th.	12th.	13th.	14th.	15th.	16th.	17th.	18th.	19th.	20th.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Padlock (mark) Sari 9 yds.	3 15 6	3 15 0	4 8 6	4 8 0	4 8 6	4 8 6	4 10 0	4 10 0	4 9 6	4 9 6	4 9 6	4 9 6
Sada Dhuti (Latu mark) 9 yds.	4 3 6	4 3 0	4 3 0	4 3 6	4 3 6	4 5 0	4 5 0	4 5 0	4 5 0	4 5 0	4 5 0	4 5 0
Banga Lakmi 9 yds	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0	3 1 0

JANUARY, 1919.

	21st.	22nd	23rd.	24th.	25th.	26th.	27th.	28th.	29th.	30th.	31st.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Padlock (mark) Sari 9 yds.	4 9 6	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 9 0	4 8 0	4 8 0
Sada Dhuti (Latu mark) 9 yds.	4 5 0	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 4 6	4 2 0	4 2 0
Banga Lakmi 9 yds.	3 1 0	3 1 0	3 1 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0

FEBRUARY, 1919.

	1st.	2nd.	3rd.	4th.	5th	6th.	7th.	8th.	9th	10th.	11th.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Padlock (mark) Sari 9 yds.	4 7 0	4 7 0	4 7 0	4 6 6	4 6 6	4 6 0	4 6 0	4 6 0	4 6 0	4 6 0	4 6 0
Sada Dhuti (Latu mark) 9 yds.	4 1 6	4 1 6	4 1 6	4 1 0	4 1 0	4 1 0	4 0 6	4 1 0	4 1 0	4 1 0	4 1 0
Banga Lakmi 9 yds.	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 2 0	3 0 0	3 0 0	3 0 0	3 0 0	3 0 0

* Imported. | † Local product.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

(*a*) Has the attention of Government been drawn to a recent speech of the Lieutenant-Governor of Bihar and Orissa, in which reference has been made to the steps which have been taken by his Government for selling cloths at rates cheaper than the prevailing market-rates?

Sale of cloths rates cheaper than prevailing market-rates.

(*b*) If so, are the Government considering the desirability of adopting some such steps in Bengal?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) The Hon'ble Member is referred to the statement which will be made in connection with the resolution to the same effect which is to be moved at the present Council meeting."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

Projects for improvement of sanitation.

Will the Government be pleased to make a statement of the projects for improvement of sanitation which have been submitted to Government by the Sanitary Board for sanction during the current financial year, and of the orders passed thereon?

Answer by the Hon'ble MR. O'MALLEY :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 7 (Unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 18th February, 1919, showing the list of sanitary projects submitted to Government by the Sanitary Board during the year 1918-19.*

Project.	Orders passed.
(1) Sketch project for the drainage of the Dinajpur municipality.	Government refused administrative approval.
(2) Sketch project for the flood flush drainage of the Budge-Budge municipality.	Administrative approval was given.
(3) Detailed scheme of sewerage for the Kurseong municipality.	The scheme was approved.
(4) Detailed project for the reconstruction of a drain by the Kurseong municipality.	The scheme was sanctioned.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

8.

Improvement of the Dacca School of Engineering.

(*a*) Have the Government received any representation from the Dacca People's Association suggesting an expansion and improvement of the Dacca School of Engineering?

(*b*) If so, what orders, if any, have been passed thereon?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) The answer is in the affirmative.

(*b*) The memorial is under consideration and no orders have yet been passed."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

9.

Improvement of drainage, etc.

Will the Government be pleased to make a statement showing the proposals or suggestions made to Government during the current financial year by district boards or any public associations for the improvement of drainage, facilities of communications by water and other allied objects, and the steps taken thereon?

Answer by the Hon'ble MR. O'MALLEY :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 9 (Unstarred) asked by the Hon'ble* BABU BROJENDRA KISHORE RAY CHAUDHURI *at the Council meeting of the 18th February, 1919, showing the proposals or suggestions made to Government during the current financial year by District Boards or any Public Associations for the improvement of drainage facilities of communications by water or allied objects and steps taken thereon.*

Serial No.	Name of Public Association or District Board.	Nature of proposal.	Action taken by Government.
	Drainage Schemes.		
1	District Board of Jessore	Arul Bil Scheme (for draining an area of 53 square miles)	A notification under section 3 of the Bengal Sanitary Drainage Act has issued.
2	District Board of the 24-Parganas.	Nawi Sunti Scheme (for draining an area of 145 square miles).	
3	District Boards of 24-Parganas, Nadia and Jessore.	Jabuna Scheme (for draining an area of 322½ square miles)	
4	District Board of Howrah	Amta Drainage Scheme (for draining an area of 128 square miles).	An application from the District Board under section 3 of the Bengal Sanitary Drainage Act was received on 14th February, 1919, and will be taken into consideration.
5	District Board of Midnapore	Contai Drainage Scheme ...	A complete estimate for the Hijili Drainage project has been prepared. This is a very large estimate and comprises the drainage of several basins: the total estimated cost is Rs. 46 lakhs. It is proposed to take up that portion of the project which deals with the drainage of the basins known as the Pichaboni and Amirabad basins in the course of the year 1919-20.
6	District Board of Howrah	Scheme for the re-excavation of the Kalatala Khal.	The project is under the consideration of Government: plans and estimates are ready.
	Water Communications.		
1	District Board and Municipality of Pabna	Scheme for improving the silted up Boral river.	No action yet taken; it is not possible in the present depleted state of the Public Works Department establishment to take up this enquiry which will require a specially selected officer and a staff of subordinates.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10. Will the Government be pleased to make a statement giving the purport of all such resolutions on questions of general public interest as have been either accepted by Government or carried by non-official members in the Bengal Legislative Council during each of the last 5 years, together with a brief note indicating the steps that may have been taken up to date in furtherance of the object of each such resolution?

Resolutions carried in the Bengal Legislative Council during the years 1914-18 and steps taken thereon.

Answer by the Hon'ble MR. KERR :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No.* (*Unstarred*), *asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at th Council meeting of the 18th February, 1919, showing the number of resolutions o matters of general public interest which were either accepted or carried in the Benga Legislative Council during the years 1914—18.*

Serial No.	Subject of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on the resolution.
1	2	3	4	5
1	Adequate waterway for the District Board road and railway across the river Bunar.	5th August, 1914	Accepted ...	By a Notification No. 10 (Irrigation Depart ment) of the 9th August, 1915, the Beng Irrigation Act, 1876 (III of 1876), w extended to take effect in the distri of Mymensingh. By a subsequent Notification No. 1 (Irrigation Department) of the 16t August, 1915, the Governor in Counc was pleased, in exercise of the powe conferred by section 40 of the Beng Irrigation Act, 1876 (Bengal Act III 1876), to prohibit the formation of an bund or other obstruction to free passag of drainage water within that portio of the river Banar about 2 miles in lengt lying within the villages of Joyrampu Hamidpur and Syampur in thana Jama pur, pargana Pukhuria, in the district Mymensingh. By a Notification No 16 (Irrigation Depart ment) of the 12th October, 1915, th Governor in Council was pleased to declar that the Chairman of the District Boar of Mymensingh shall *ex-officio* exercis the powers and perform the duties of Canal Officer under sections 41 and 4 of the said Act, within the limits of tha portion of the Banar river in the distric of Mymensingh which was declare as a drainage course under section 40 o the said Act by Notification No. 12. The District Board of Mymensingh under took to remove the District Board roa which had been constructed across the rive near its intake from the old Brahmaputr and to clear the obstructions in the river bed in that portion of the river whic had been declared a drainage course an to construct a bridge to carry the roa over the river. This work was completed in May, 1916 Similarly the India General Navigatio and Railway Company's railway lin which is worked by the Eastern Benga Railway was opened up and a bridg constructed to carry the railway lin across the river ; this work was completed in January, 1916.

Subject of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on the resolution.
2	3	4	5
Connecting Barisal with Calcutta by rail.	5th August, 1914	Accepted ...	After the acceptance of the resolution in Council, the construction of a broad gauge railway between Khulna and Barisal was recommended to the Government of India; but, when detailed project had been examined, the Governor in Council came to the conclusion that there were serious objections to the scheme as it would interfere with the natural drainage and sanitary conditions of the country. The Government of India accepted the considered views of the Government of Bengal and the scheme was abandoned. This fact was intimated to the Hon'ble Babu Kishori Mohan Chaudhuri in reply to the question put by him in the Legislative Council on the 26th November, 1918.
Improvement of the Port of Chittagong.	Ditto ...	Ditto ...	Since the acceptance of these two resolutions, the Government of India (Railway Board), at the instance of this Government, appointed Sir George Buchanan, K.C.I.E., to advise on the engineering works and improvements necessary to make the Chittagong Port suitable for accommodating ships of the largest class and to outline the expenditure the provision of these works would involve. The Report by Sir George Buchanan has been received by this Government and the Commissioners for the Port of Chittagong have now been asked to prepare a comprehensive and detailed programme of works (including the purchase of any dredger or dredgers). This programme will show the total expenditure required, the number of years over which the expenditure should be spread and the amount the Port Commissioners hope to be able to finance from their own resources, in order to enable this Government to decide on the share of financial burden which it can properly undertake and to press on the Government of India the claims of the Port for adequate financial assistance. During the current year, 1918-19, the Port Commissioners have received a Government grant of Rs. 2,50,000, and the Government of India have promised a grant of Rs. 4 lakhs for the next year, 1919-20, for the construction of revetments which are immediately required. Effect has been given to the suggestion in the resolution (No. 3) regarding the improvement of railway communication between the Port of Chittagong and the Eastern districts of Bengal, made by the Hon'ble Babu U. L. Roy, particularly in reference to the construction of a line between Bhairab and Netrakona; for the Mymensingh-Bhairab Bazar Railway (including the Bhairab-Netrokona section) has since been constructed and opened for traffic.
Purchase and maintenance of a second dredger for the Port of Chittagong.	26th July, 1915	Ditto ...	

Serial No	Subject of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on t resolution.
1	2	3	4	5
5	Encouragement of small home industries in Bengal	3rd March, 1915	Accepted ...	Government had at that time befor Mr. Swan's report on which such was taken as is described in the ne Mr. Ascoh was later deputed to more particularly on cottage ind Since the resolution was accept industrial co-operative societies ha created. As soon as the provinc partment of industries is organis result of the Indian Industrial C sion's Report the encouragement o industries will be one of the subjects which the Director of In will investigate.
6	Establishment of Industrial Co-operative Societies in various districts.	Ditto ...	Ditto ...	The Co-operative Department ha stimulating the formation of in societies throughout the Presid much as possible. A Deputy R has been placed on special duty i inspectors have been appointed nection with these societies. The of such societies has risen to 124.
7	Dissemination of agricultural and economic knowledge.	Ditto ...	Ditto ...	The Agricultural Department are no pains to further the objec resolutions as far as practicable.
8	Encouragement of agricultural farming, dairy farming, fruit farming and fruit preserving as a profession in life.	Ditto ...	Ditto ...	
9	Establishment of a City Civil Court in Calcutta.	7th April, 1915	Carried by a division.	This resolution was passed by a majority, non-officials only voti Excellency in Council took opi the matter from the High Co public bodies and, in view of th gence of opinions as to the need a Court, has determined to take n action at present.
10	Industrial development of Bengal	26th July, 1915	Accepted	In addition to the steps already described in the Hon'ble Mr. Bell's speech of the 26th July, 19 ernment have appointed a Dir Industries through whose acti Controller of Munitions con impetus has been given to certain industries of Bengal. Further, ment have sanctioned industrial c tive societies and have encour helped the Bengal Home Industri ciation. The factors which p Government from giving effect of Mr. Swan's recommendatio first the war and secondly the ment of the Industrial Commiss report of which was then awaite

Subject of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on the resolution.
2	3	4	5
Amendment of Court of Wards Act, 1879.	27th March, 1916	Accepted ...	The resolution recommended that early steps might be taken to obtain official and non-official opinion on the advisability of amending the Court of Wards Act, 1879, with a view to extend its provisions to protect and bring under the direct management of the Court the properties of minor children of deceased tenure-holders and other disqualified members among such tenure-holders. The Board of Revenue was asked to consult Commissioners of Divisions, experienced district officers and managers under the Court of Wards and to furnish Government with an expression of opinions in the matter. Thirteen private gentlemen and eight associations were also asked to express their opinion. Their opinions were received and considered by Government. No action was considered necessary.
Provision for kanungos discharged for stoppage of survey and settlement operations.	7th August, 1916	Ditto ...	The resolution recommended that steps might be taken to make provisions as far as possible for kanungos who had been thrown out of employment owing to the stoppage of fresh survey and settlement operations in Bengal A list of the kanungos thrown out of employment was forwarded to all Departments of the Secretariat, to all Commissioners of Divisions and to all heads of Departments with the request that applications from the kanungos might receive careful consideration in connection with all classes of appointments for which they might be qualified. A list of such of the kanungos as were considered suitable for employment as Civil Court Commissioners was forwarded to all District Judges. A list of such of the kanungos as were considered suitable for employment as collectorate kanungos was forwarded to the Commissioners of Divisions. 77 kanungos were thrown out of employment altogether. As the result of the steps taken by Government on the resolution— 7 kanungos got permanent appointments as Sub-Inspectors of Police. 1 kanungo as Sub-Registrar. 1 kanungo as Inspector, Co-operative Societies. 2 kanungos as collectorate kanungos. 56 came back to the Department, when it was decided not to wait till the end of the war before taking up the Bankura and Jessore settlements. Of these about 15 had been found temporary miscellaneous posts in various offices during the interval.
Trial by jury	13th December, 1916.	Carried by a division.	The system of trial by jury has been further extended to twelve districts in the Presidency with effect from the 1st January, 1919.
Government High School at Burdwan.	Ditto ...	Accepted ...	A scheme has been prepared and a beginning is expected to be made with it next year

Serial No.	Subject of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on the resolution.
1	2	3	4	5
15	Damage by floods in certain areas in Burdwan district.	13th December, 1916.	Accepted ...	In accepting the resolution the Hon'bl Nicholas Beatson Bell briefly drew a tion to the methods which Governm had decided to adopt in dealing with question of the floods of the Dam river; as regards the Ajai the Hon Member stated that Government have at present got a complete programme Since 1917-18 the programme of work disposal of the Damodar floods has in progress and out of the five item work in the main programme four been started, viz.— (*i*) the improvement of the Hoorl Khal; (*ii*) the retirement of the Baxi Kha bankment at the Rupnarain and the widening of the Kh (*iii*) the construction of a cha from Kharia on the Gaigl Khal to join with the Gi patty Khal; (*iv*) the declaration of certain under section 6 of the Emb ment Act. Of these (*iii*) and (*iv*) have been comp and (*i*) and (*ii*) are in progress; still remains one project to be take viz., the excavation of an escape cha from the 38th mile of the Chetua C Embankment to the 5th mile of Rupnarain Embankment. The field of this project has not yet been fi completed, but it will be ready money is available for carrying it out In regard to the protection of the lying between the Ajai and Kunur, embankments on the south of the have been strengthened and raised, one large breach at Sagarputul at junction of the Schedule D Embank with the Zamindari Embankment is being closed. The expenditure incurred on these v and other works for the mitigation of effects of the floods in these rivers been as follows:— R In 1917-18 ... 2,3 In 1918-19 up to 31st January, 1919 ... 1,0 The total probable expenditure of the year is estimated at „ 2,5 A sum of Rs. 3,16,000 has been provi ally provided in the budget estimat 1919-20 for the continuation of works. Investigations for a proposed flood co ling reservoir in the valley of the Ba river have been completed and de and estimates for the work are under paration. A copy of a note on the minary stage investigations was p on the table in the Library at the ing of the Legislative Council held o 3rd July, 1918. A sum of Rs. 20,000 has been provisio provided in the budget estimates of 20 for a continuation of similar inve tions in the basin of the Damodar riv

Subject or text of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on the resolution.
2	3	4	5
nti floods	23rd January, 1917.	Accepted ...	In February, 1917, the Government addressed the Commissioner of the Chittagong Division requesting him to ascertain if His Highness the Raja of Hill Tippera is willing to have a modification of the agreement of 1878, so that in future Government may undertake direct responsibility for the embankments which have hitherto been maintained by him. In November, 1917, the Commissioner of the Chittagong Division was requested to instruct the Collector of Tippera to take action under section 7(*1*) of the Bengal Embankment Act, II of 1882, with respect to the embankments on either side of the Gumti river within the estate of the Raja of Hill Tippera The report of the Commissioner of the Chittagong Division under section 14 of the Act is awaited. Further action will be taken on receipt of his reply.
quiry into the question of Kurseong water-supply with a view to bolishing dual control of the atchment area and vesting such ontrol solely in the municipality.	Ditto ...	Ditto ...	Inquiries showed that there was no ground for substituting the sole control of the municipality for the existing dual control of the municipality and the Forest Department, and the latter was accordingly retained.
ads and communications in Darjeeling.	5th March, 1917	Ditto ...	Government have not taken any further action as financial conditions have not yet reached the normal.
his Council recommends to the Governor in Council that the last batch of students of the Belgachia Medical School admitted in the year 1913, and those who failed for the first time in one or two subjects in the Faculty Examination held in November, 1916, be granted an opportunity to appear at the Licentiate Examination of the State Medical Faculty of Bengal as has been previously allowed in the case of other students.	22nd January, 1918.	Carried by a division.	Government could not see their way to accede to the first part of the resolution. With reference to the second part Government granted the concession and allowed such failed candidates to appear up to the first examination in 1919. This concession has been recently extended to include also the November examination of the present year.
nstructions in improved methods of agriculture and establishment of demonstration farms.	Ditto ...	Accepted ...	The question of agricultural education has engaged the earnest attention of Government and two agricultural middle schools, one in Eastern Bengal and the other in Western Bengal, will shortly be established. Demonstration farms are being established in certain districts and it is in contemplation to extend the scheme.

Serial No.	Subject of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on the resolution.
1	2	3	4	5
21	Enactment of an Impartible or Inalienable Estates Act for Bengal or of an amendment of the Bengal Settled Estates Act.	19th February, 1918.	Accepted ...	The resolution recommended that e steps might be taken to obtain offi and non-official opinion on the ac ability of an enactment of an Impar or Inalienable Estates Act for Be or of an amendment of the Bengal Set Estates Act, so as to make it n attractive to the classes for whose ben the Act was intended. Commissioners of Divisions were asked ascertain what important families their Division were subject to the law primogeniture, to ascertain from heads of those families as to the n for legislation, to obtain general pu opinion on the subject, to make spe recommendations for new legislation the amendment of the Bengal Set Estates Act and to submit a re through the Board of Revenue. Eighteen private gentlemen and e associations were also asked to exp opinion Replies have been received are under consideration.
22	Teaching of Hygiene and Sanitation in all State-aided schools and the inclusion of these subjects as compulsory subjects for the University Matriculation Examination.	Ditto ...	Carried by a division.	Steps have been and are being taken impart a knowledge of Hygiene Sanitation in schools.
23	The formation of a new Public Works Department division to be called "the Damodar Embankment and Drainage Division."	Ditto ...	Accepted ...	The Hon'ble Member in charge of Public Works Department portf pointed out that it must be made c that it is not possible, owing to insufficiency of staff, to say that division will be formed at the beginn of the next official year or even dur the currency of the war. The insufficiency of staff still exists, and not known when the Department will restored to its full strength, but propo have been formulated and worked out the establishment of a new Irrigat Division and a redistribution of the wor the two divisions now styled the North Drainage and Embankment Division the Circular and Eastern Canals Divis These proposals will require the sanct of the Government of India. It is present intended that the new divis will have its head-quarters at Khu and the present Northern Drainage Embankment Division will then be constituted as the "Damodar Emba ment and Drainage Division".
24	A Standing Committee to be formed for the Damodar Embankment and Drainage Division.	Ditto ...	Ditto ...	By Notifications Nos. 2, 3 and 4 the Irrigation Department, dated 22nd October, 1918, Standing Emba nment Committees of officials and n officials were appointed for the distr of Burdwan, Hooghly and Howrah.
25	Domicile of internees in other than insanitary places.	Ditto ...	Ditto ...	Local officers were consulted and any pla of domicile considered unhealthy by th have been abandoned, the *detenus* do ciled in such places being transfer elsewhere.

Subject of resolution.	Date on which resolution was moved.	Accepted or carried.	Action taken by Government on the resolution.
2	3	4	5
Case of Babu Jyotish Chandra Ghosh, interned under Bengal Regulation III of 1918.	28th March, 1918	Accepted ...	A Medical Board was convened and reported on the case as was promised by the Hon'ble Member in charge.
Withdrawal of Government order No. 21 T.—Edn., dated 23rd April, 1917, relating to the promotion of the Subordinate Educational Service.	4th April, 1918	Ditto ...	The Government order referred to has been withdrawn.
High prices of cloth	3rd July, 1918 ...	Carried ...	Government appointed a committee to report upon the situation and upon receiving its report, communicated with the Government of India. The subsequent action taken in Bengal was the appointment of a Cotton Advisory Committee, and the licensing of wholesale dealers in Calcutta.
Organisation of the cloth weaving industry in Bengal.	Ditto	Accepted ...	The Registrar of Co-operative Societies and the Director of Agriculture, Bengal, are doing what is practicable to further the object of the resolution.
Improvement of cotton cultivation in Bengal.	19th August, 1918.	Carried by a division.	In view of this resolution a report by the Director of Agriculture indicating the measures that were being taken in connection with the subject-matter of the resolution was published in October last. Mr. N. N. Pillai, Weaving Expert to the Government, was deputed to hold an enquiry as regards the number of "charkas" in use, their requirements in the way of raw cotton and how these requirements could be met.
Exemption of *bonâ fide* Ayurvedic medicines from the provisions of the Excise Act.	Ditto ...	Accepted ...	The resolution was given effect to by executive instructions on the lines proposed in Sir Henry Wheeler's speech.
Vacancies in the executive branch of the Provincial Civil Services to be filled as recommended by the Public Services Commission.	Ditto ...	Ditto ...	The procedure recommended by the Public Services Commission was already in force in Bengal No change of practice was therefore required.
Employment of Muhammadan officers in Court of Wards Estates.	3rd September, 1918.	Ditto ...	The resolution recommended that in future wherever practicable, suitable Muhammadan officers might be appointed to be Managers of Muhammadan estates under the Court of Wards. A copy of the resolution has been forwarded to the Board of Revenue.
Registration of the names of certain persons under the Schedule to the Bengal Medical Act, 1914.	Ditto ...	Carried by a division.	For the reasons explained in Council Government were unable to comply with this recommendation.
Abuse and difficulties in connection with the circulation of one-rupee notes.	Ditto ...	Accepted ...	Government appointed a committee of inquiry, accepted its conclusion and issued executive instructions accordingly.

the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

Will the Government be pleased to state whether there was an increase of 1½ lakhs of expenditure on public health in the municipalities of the sidency during 1917-18, and if so, the reasons for this increase? Expenditure on public health in municipalities.

wer by the Hon'ble MR. O'MALLEY :—

" The Hon'ble Member's attention is invited to columns 17 to 37 of Form appended to the resolution on the working of municipalities in Bengal

during the year 1917-18 (copy laid on the library table), from which it will be seen that the total expenditure under public health and convenience rose from Rs. 39,76,628 to Rs. 41,12,413. The increase on account of water-supply, conservancy, health officers, sanitary inspectors and vaccination charges amounted to nearly one and a half lakhs."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

12.

Sanitary measures at Saugor *mêla* and outbreak of epidemics.

(*a*) Will the Government be pleased to state what sanitary measures, if any, were adopted at the last Saugor *mela* so as to prevent the outbreak of epidemics among the pilgrims?

(*b*) When did the Government first come to know of the outbreak of cholera among the pilgrims of the last Saugor *mela*, and what precautionary measures have since been taken by the Government to check the spread of the disease?

(*c*) Will the Government be pleased to state the number of deaths from cholera—

(*i*) at Saugor Island during the recent Saugor *mela*; and

(*ii*) at Calcutta, amongst the pilgrims who returned therefrom?

(*d*) Will the Government be pleased to state—

(*i*) what arrangements for drinking water were made by the steamer companies on board the steamers carrying the passengers to Saugor Island, and also by Government at the said island;

(*ii*) the precautions that were taken against the contamination of such supplies of drinking water; and

(*iii*) the medical arrangements made at Saugor Island, as also on board the steamers plying between Calcutta and that island?

(*e*) Are the Government considering the advisability of instituting an inquiry into the circumstances of this outbreak at an early date?

(*f*) Will the Government be pleased to state what steps they propose to take to prevent a recurrence of similar outbreaks on future occasions?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) The control of the Saugor *mêla* is in the hands of the District Board of the 24-Parganas, which sent three of their Sanitary Inspectors under the Vice-Chairman of the Board (who was also present) to supervise the sanitary arrangements. Latrine accommodation comprised 250 to 300 seats; 39 sweepers were engaged for latrine work. The water-supply was derived from two tanks which were fenced with bamboo and reserved for drinking purposes under a police guard; 221 constables were on duty at the *mêla*. Two other tanks were set aside for bathing and washing utensils, etc. In addition to water from the reserved tanks, some 200 to 300 large jars of water were taken to the *mêla* for the use of the police and others. The *mêla* site was laid out on a definite plan with thoroughfares marked on the ground; temporary quarters were erected for the Police and other supervising officers. The whole area was lighted with incandescent lamps. Some temporary sheds were erected for the treatment and segregation of the sick, and a supply of bamboo bedsteads and blankets provided. Hospital work was placed under the charge of a Sub-Assistant Surgeon. For the disposal of the dead, four *Doms* were provided. In addition to the medical staff provided by the District Board, the Ram Krishna Mission sent three or four medical men, who were also assisted by a number of volunteers. This voluntary organisation did excellent work during the *mêla*.

(*b*) The Sanitary Commissioner received intimation on the 17th and at once took action. Telegrams were sent to the Civil Surgeons and District Magistrates of districts through which the main pilgrim routes pass, warning

Names of Steamer Agents	Names of Steamers.	Names of Flats	Capacity of drinking water tanks by gallons.
Messrs. Hoare Miller & Co.	Joti ...	Nalini ...	800
		Alaka ...	
		Radha ...	
		Sukhoda ...	
	Sakti ...	Bela ...	800
		Abani ...	
		Santha ...	
		Bagola ...	
	Lakshi ...	Soma ...	800
		Taraka ...	
		No. 12 ...	
		„ 18 ...	
	Kali ...	No. 1 ..	350
	Chanchala ...	No. 11 ..	400
		„ 17 ...	
The India General Navigation & Ry. Co., Ltd.	Maulmein ...	...	7 tanks, 2,320
	Mergui ...	...	5 „ 1,520
	Cambay ...	...	7 „ 2,500
	Cochin ...	...	6 „ 2,100
	Curlow ...	...	3 „ 3,800
		Dhanbandi ...	3 „ 400
		Teesta ...	Ditto.
		Bishkali ...	Ditto.
		Tapti ...	Ditto.
		Phulpur ...	Ditto.
	Sherani ...		3,200
	Bunnerwali		3,200
	Shinwari ...		3,200
	Ghasi ...		2,400
	Waziri ...		2,400
	Islay ...		1,600
		Bartala ...	900
		Kelapur ...	900
		Bagula ...	900
		Chatra ...	900
		Bolan ...	400

Each flat had 12 jars (25 gallons each) of water on board, in addition to the tanks.

Raja Sreenath Roy & Brothers.	Radhaballav	Mohan ...	One tank containing 400 gallons was placed in each flat and two tanks containing 300 gallons were placed in each steamer. In addition, 85 earthen jars each containing 30 gallons were taken in three separate country boats towed by the steamers.
	Sreedhar ...	Cossipore.	
		Padma.	
		Nurpur.	
		Satyabaty.	
	Bhagyakul	Lohajang.	

By the Hon'ble Babu Bhabendra Chandra Ray:—

13.

Cess revaluation proceedings.

(*a*) In what areas are cess revaluation proceedings going on at present?

(*b*) With regard to the cess revaluation proceedings that are going on, will the Government be pleased to state—

(*i*) whether the cultivating tenants who have sub-let any portion of their holdings to under-*raiyats* and have been recorded in the

settlement proceedings as *sthitiban-raiyat* or *madhya-sattadhikari*, *khajana bridhir joyya* have been assessed to cesses as tenure-holders in respect of their entire holdings;

(*ii*) whether agricultural lands in the *khas* possession of zamindars or talukdars, are being assessed on a basis higher than the prevailing rates of rent in the village;

(*iii*) whether in the case of such *khas* lands when let out in *barga* to others, the value of the produce (which is higher than the prevailing rate of rent) has been adopted as the basis for assessment;

(*iv*) whether in the case of lands, in respect of which the entries in the record-of-rights show either that no rent is paid by the tenant and accepted by the landlord, or that no rent has been fixed, the valuation for the purpose of assessment of cesses has been generally made much higher than the prevailing rates of rent in the village;

(*v*) whether in respect of lands included in the landlord's *khas khatian* as being *patit*, the valuation has been made much higher than the prevailing rates of rent in the village, and

(*vi*) whether any cesses are being assessed on *nullas* and *halats*, which though included in the landlord's *khas khatian* are used by the public in general?

Answer by the Hon'ble MR. MCALPIN :—

"(*a*) Cess revaluation proceedings are at present in progress in the districts of Bakarganj, Midnapore, Mymensingh, Noakhali, Rajshahi and a part of the 24-Parganas.

(*b*) (*i*) Yes, except where the sub-letting is of a temporary nature. The practice referred to is in accordance with the provisions of the Cess Act of 1880.

(*ii*) No.

(*iii*) An estimate of the value of the produce received by the landlord forms the basis of assessment.

(*iv*) No.

(*v*) No.

(*vi*) Ordinarily *nullas* and *halats* are excluded from assessment."

By the Hon'ble Babu Bhabendra Chandra Ray:—

14.

(*a*) Have the Government received any representation or scheme from the people of Jessore or from the District Board of Jessore, suggesting the improvement of the water-course of the river Bhairab? Impro of the water- of the

(*b*) If so, have the Government inquired into the possibilities of the proposals contained therein being carried into effect?

(*c*) What action, if any, do the Government propose to take in regard thereto, and when approximately?

(*d*) Will the Government be pleased to state whether suggestions for the improvement of water-ways have been received from the people of any other district? If so, what action, if any, do the Government propose to take thereon?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) and (*b*) Suggestions for the improvement of the water-course of the river Bhairab have been received at intervals during the last half century from the District Board of Jessore and from persons, both official and non-official,

interested in the question of the improvement of the rivers of that district. The problem is extremely difficult and complex. Various schemes were submitted by officers of Government between 1865 and 1906 for effecting improvements in the condition of the river. A scheme was worked out in 1906 for draining the *bils* lying on each side of the river into the main river, and for deepening and straightening the channel of the river below Jessore.

The cost of this scheme was estimated to be ten and a half lakhs.

(*c*) Government do not propose to take any action on the schemes previously prepared, as it was found that they did not entirely meet all the conditions of the problem. As an outcome of the investigations in the Jessore Drainage Division, a new scheme for the improvement of the river, including the admission of water for flushing from the rivers Matabhanga and Navaganga, is now under preparation, and it is hoped that a portion of the whole scheme will be ready for the consideration of Government in the course of the year 1919-1920. A sum of half a lakh has been included in the budget of 1919-1920 for making a commencement on the project, if it be found practicable as an engineering proposition.

(*d*) As regards other districts in the Presidency, suggestions for the improvement of waterways therein have been received from various sources. Action has been taken by Government to investigate problems of this nature from the points of view of navigation, sanitation, drainage or agricultural improvement in the districts of the 24-Parganas, Nadia, Khulna, Dacca, Faridpur and Bakarganj; but it is not practicable within the limits of an answer to the present question to give complete information on the subject."

By the Hon'ble Babu Bhabendra Chandra Ray:—

15.

Collection of opinions of district boards on the Government of India Resolution on Local Self-Government.

(*a*) With reference to the last Resolution of the Government of India on Local Self-Government, have the Government invited the opinions of the different district boards in regard to the suggestions contained therein; particularly on the question of the appointment of whole-time executive officers by district boards as a concomitant of non-official chairmen?

(*b*) If so, will the Government be pleased to lay all such opinions on the table?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) The reply is in the negative.

(*b*) The question does not arise."

By the Hon'ble Babu Bhabendra Chandra Ray:—

16.

Official and non-official chairmen of district boards.

(*a*) Have the Government addressed any communication to the different district boards for the purpose of ascertaining which among them desire to have non-official chairmen, and which are desirous of having official chairmen as heretofore?

(*b*) Have any district boards (excepting those that are presided over by non-official chairmen) approached Government desiring non-official chairmen?

(*c*) If the answer to either clause (*a*) or (*b*) be in the affirmative, will the Government be pleased to lay on the table the letters which may have been received from the district boards on the subject?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) Government are considering the question of extending to other district boards the right of electing non-official chairmen. They have not yet addressed district boards on the subject.

(*b*) The answer is in the negative.

(*c*) The question does not arise."

By the Hon'ble Babu Bhabendra Chandra Ray:—

17.

(*a*) Are there any inequalities in the rates of pay of the ministerial officers of the civil and criminal courts, as between the Eastern and Western Bengal districts?

Rates of pay of ministerial officers of civil and criminal courts in Eastern and Western Bengal.

(*b*) If so, will the Government be pleased to make a statement showing these rates of pay in all the different grades, as obtaining in the two parts of Bengal?

(*c*) If the answer to (*a*) be in the affirmative, what are the reasons for this inequality, and are there any proposals for its removal?

Answer by the Hon'ble MR. DONALD :—

" (*a*) Yes.

(*b*) As to the lower division, the following statement represents the percentage of clerks in different grades. With regard to ministerial officers on pay above Rs. 50 each office is provided for on its own merits.

For District offices in Western Bengal

	Rs.
5 on	50
10 on	45
20 on	40
21 on	35
22 on	30
22 on	25
100	

For Judicial Courts in Western Bengal.

	Rs.
5 on	50
10 on	45
15 on	40
20 on	35
22 on	30
28 on	25
100	

For District offices in Eastern Bengal.

	Rs.
5 on	50
10 on	45
22 on	40
30 on	35
33 on	30
100	

For Judicial Courts in Eastern Bengal.

	Rs
10 on	50
30 on	40
60 on	30
100	

(*c*) The principal reason for this inequality is the fact that the scales for Eastern Bengal and Western Bengal were laid down separately while these areas formed parts of different provinces. The question of the revision of pay of all ministerial officers in order to bring the Eastern Bengal districts and the Western Bengal districts into uniformity was considered in 1915, but financial consideration precluded Government from then giving effect to the scheme."

By the Hon'ble Babu Bhabendra Chandra Ray:—

18.

(*a*) What are the terms and conditions on which probationers are employed in the offices of civil and criminal courts in Eastern and Western Bengal?

Employment of probationers in the civil and criminal courts in Eastern and Western Benga.

(*b*) Is it a fact that unless the probationers succeed in being appointed to a permanent position within a certain period, they are removed from office?

(*c*) Is it also a fact that outsiders or officers from other offices are sometimes appointed to permanent positions over the heads of probationers; and that the inability of the latter to secure permanent appointments within the period fixed is sometimes due to such supersessions?

Answer by the Hon'ble MR. DONALD:—

"(*a*) Candidates as probationers must possess certain educational qualifications, must not be over 22 years of age and must produce a certificate of good moral character. Candidates are frequently selected after examination. The pay of probationers in Eastern Bengal is Rs. 15, and in Western Bengal Rs. 10.

(*b*) The period of probation is ordinarily limited to two years which may be extended to three years at the discretion of the head of the office. This rule is not strictly enforced.

(*c*) Probationers have the first claim to officiating vacancies in the office to which they are attached, but for permanent vacancies the head of the office has the power of introducing outsiders who satisfy the rules. As a matter of practice, it is believed to be seldom that other than probationers are given permanent vacancies which arise."

By the Hon'ble Babu Akhil Chandra Datta:—

Method of touring of certain Government officers of Bankura.

19.

(*a*) Is it a fact—

(*i*) that the District Magistrate, the Sadar Subdivisional Officer and the Superintendent of Police of Bankura are in the habit of touring together in the interior of the district in the same motor car;

(*ii*) that they tour together regardless of the question whether their concerted action is necessary on any particular occasion or not; and

(*iii*) that in many districts touring on the part of officials consists more in driving than in actual camping?

(*b*) Are the Government considering the desirability of instituting an inquiry as to how touring on the part of district officials can be attended with a maximum of advantage to the people and with a minimum of cost to the Government?

(*c*) Will the Government be pleased to lay on the table a comparative statement showing, district by district and year by year, the amount of travelling allowances drawn by District Magistrates and Superintendents of Police in Bengal during the last five years?

Answer by the Hon'ble MR. KERR:—

"(*a*) (*i*) and (*ii*) No. The officers named have travelled together in the same motor car only on four occasions since the 1st April, 1918, and on each occasion reasons of a public nature necessitated their doing so

(*iii*) The allegation which is here inferred is of too general a character to permit of an answer as to its accuracy.

(*b*) The whole question was examined three years ago in connection with the report of the District Administration Committee. The Hon'ble Member is referred to the orders contained in Resolution No. 176 A., dated the 10th January, 1916, which was published in the *Calcutta Gazette* of the 12th January, 1916. Government do not think it necessary to issue any further orders on the subject at present.

(*c*) A statement is laid on the table."

Serial No.	NAMES OF DISTRICTS.	1913-14.		1914-15.		1915-16.		1916-17.		1917-18.	
		Amount of travelling allowance drawn by District Magistrates.	Amount of travelling allowance drawn by Superintendents of Police.	Amount of travelling allowance drawn by District Magistrates.	Amount of travelling allowance drawn by Superintendents of Police.	Amount of travelling allowance drawn by District Magistrates.	Amount of travelling allowance drawn by Superintendents of Police.	Amount of travelling allowance drawn by District Magistrates.	Amount of travelling allowance drawn by Superintendents of Police.	Amount of travelling allowance drawn by District Magistrates	Amount of travelling allowance drawn by Superintendents of Police.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1	Jessore	881	1,560	750	1,539	950	836	841	1,340	1,255	1,576
2	Khulna	1,047	1,734	3,060	1,812	2,336	1,754	892	1,143	.	1,092
3	Murshidabad	1,045	1,180	1,405	811	514	1,815	1,252	1,083	1,034	1,405
4	Nadia	928	2,222	1,040	2,138	1,027	2,266	930	2,503	945	2,200
5	24-Parganas	752	1,533	564	3,057	724	5,729	1,744	5,485	1,405	2,873
6	Bankura	939	775	853	1,583	2,222	1,493	2,273	1,964	1,841	1,084
7	Birbhum	548	324	890	1,565	864	1,936	1,483	1,374	1,577	1,902
8	Burdwan	970	2,326	706	2,499	748	1,603	1,367	4,858	2,823	5,926
9	Howrah .. .	357	899	326	522	368	1,018	262	378	807	324
10	Hooghly	1,115	1,240	1,015	978	1,494	1,530	1,240	1,625	1,180	1,695
11	Midnapore	2,441	1,351	880	3,775	1,127	3,894	825	4,459	2,089	4,232
12	Backergunj .	402	234	1,080	872	1,050	2,339 (a)	720	2,834 (a)	853	2,886
13	Dacca .	905	1,341	1,155	1,269	1,570	2,010	1,790	1,392	1,315	1,561
14	Faridpur	1,165	1,395	1,223	1,524	1,259	1,153	984	2,133	955	1,952
15	Mymensingh . .	1,483	2,148	1,121	2,317	815	2,295	1,250	1,683	1,040	2,587
16	Bogra	1,607	823	1,258	933	1,562	851	1,328	1,134	1,656	1,629
17	Pabna .	19	783	1,332	854	1,817	1,302	1,235	1,780	1,321	540
18	Dinajpur .. .	1,307	1,800	1,213	1,813	1,149	1,244	1,443	1,697	2,248	1,635
19	Jalpaiguri	1,777	2,286	418	2,247	1,791	2,193	1,318	2,794	743	1,549
20	Rajshahi .. .	788	1,232	1,484	1,357	1,434	2,085	1,110	2,299	817	2,791
21	Rangpur	1,594	1,201	2,050	2,048	1,648	2,035	1,580	2,956 (a)	1,885	2,348 (a)
22	Malda	1,538	1,067	1,155	1,752	1,123	1,581	1,904	1,551	1,197	1,518
23	Darjeeling	516	2,937	539	3,947	1,834	3,071	898	3,041	1,403	2,811
24	Chittagong	718	1,573	901	775	870	1,700	622	1,520	910	2,804
25	Tippera	1,270	1,417	954	2,545	1,052	1,744	1,451	1,837	1,588	2,725 (a)
26	Noakhali ..	1,045	1,120	905	1,004	1,134	1,784	1,587	1,796	2,310	2,225
	Total ..	27,534	37,084	28,281	45,083	31,248	50,226	32,481	56,959	34,383	56,031

(a) Includes travelling allowance of Additional Superintendents of Police.

NOTE.—The figures given in the statement have been compiled from the audit registers and not from the original vouchers, but they may be accepted as approximately correct.

By the Hon'ble Babu Akhil Chandra Datta:—

20.

Raising of a fund in Bankura for the reception of His Excellency the Governor

Is it a fact—

(*a*) that the Sub-Registrar of Bankura realized a subscription for every document presented for registration before him to raise a fund for the reception of His Excellency the Governor of Bengal on the occasion of His Excellency's last visit to Bankura;

(*b*) that he was asked by the District Magistrate of Bankura to raise subscriptions for the above-mentioned purpose and that he realized subscriptions under his orders; and

(*c*) that the Munsifs and the Subordinate Judge of Bankura were similarly asked to raise subscriptions from the litigants?

Answer by the Hon'ble MR. KERR :—

" The facts are as follows :—

When intimation was received of His Excellency's proposed visit to Bankura, a largely attended public meeting was held and a general reception committee of about 150 members was appointed, including all the leading officials and non-officials. The District Magistrate was elected President of the committee and the sub-registrar was one of the members. One of the resolutions of the meeting was that ' the members of the general committee be requested to raise subscriptions and to send the same to the Honorary Treasurer.' In pursuance of this resolution letters were issued in identical terms by the President of the reception committee to a number of members including the sub-registrar, the secretaries of Bar libraries, the Principal of the College, zamindars, panchayats and others. The subordinate judge and the munsifs were not asked to raise subscriptions. The sub-registrar invited the public with whom he came in contact to subscribe. Out of 95 persons who registered documents while the subscription list was open, 66 subscribed and 29 did not subscribe.

Under the standing orders regarding the participation of Government officers in arrangements for the reception of His Excellency the Governor, they are at liberty to co-operate with non-officials and to preside over or serve on committees formed for the purpose, but they are prohibited from soliciting subscriptions. It has further been laid down that the collection of funds should be left to non-officials to whom it should be made clear that it is entirely optional for the people to subscribe or not. The District Magistrate of Bankura has been informed that his action in issuing an appeal for subscriptions is disapproved by Government."

By the Hon'ble Babu Akhil Chandra Datta:—

21.

Apprehended famine in the Bankura district.

Is it a fact that there has been a failure of crops in the district of Bankura, and that there is likely to be a famine in that district?

Answer by the Hon'ble MR. MCALPIN :—

" The Hon'ble Member is referred to the Press *Communiqué* of the 12th February, 1919, which gives the information required relating to the Bankura district. Copies of the same have been sent to the Hon'ble Member and placed on the Library table."

By the Hon'ble Babu Akhil Chandra Datta:

22.

(*a*) Has the attention of Government been drawn to a certain anonymous correspondence published in the *Epiphany* (a paper published in Calcutta) of the 18th January, 1919, under the heading " A Conjecture " in which the writer said :— Publication of certain anonymous correspondence on the *Epiphany*.

" Muhammad himself seems to have been a voluptuous man " ?

(*b*) Are the Government aware that the above writing has wounded the feelings and religious susceptibilities of the Moslem Community ?

(*c*) What action, if any, have the Government taken against the writer and the Editor of the *Epiphany* in this connection ?

(*d*) If no action has been taken, are the Government considering the desirability of taking such action ?

Answer by the Hon'ble MR. KERR :—

" The Hon'ble Member is referred to the *communiqué* issued on the 30th January."

By the Hon'ble Mr. Arun Chandra Singha:—

23.

(*a*) Are the Government aware that Lord Carmichael, while Governor of Bengal, visited the island of Sandwip, and that His Excellency was pleased to promise that steps would be taken to connect it by telegraphic communication with the mainland ? Telegraphic communication with the island of Sandwip.

(*b*) Will the Government be pleased to state what steps (if any) they have taken to fulfil the promise held out by His Excellency to the people of this island ?

(*c*) If nothing has hitherto been done, will the Government be pleased to state whether they are considering the desirability of establishing a telegraphic communication between this island and the mainland ?

Answer by the Hon'ble MR. DONALD :—

" (*a*) Government are not aware that His Excellency Lord Carmichael promised that steps would be taken to connect the island of Sandwip by telegraph with the mainland.

(*b*) The question does not arise.

(*c*) As explained by His Excellency the Governor on 6th August, 1918, in response to the addresses presented to him at Noakhali, during the war there were large restrictions on the use of telegraph material. As the situation in this respect has now presumably improved this Government will examine further the merits of a connection between Sandwip and Hatiya and the mainland."

By the Hon'ble Babu Ambika Charan Mazumdar:—

24.

(*a*) Is it a fact that Civil Assistant Surgeons in Bengal are first taken temporarily and afterwards made permanent in continuation of their temporary services ? Temporary services of Civil Assistant Surgeons.

(*b*) If so, does the temporary period count towards their pension and promotion?

(*c*) If not, are the Government considering the advisability of making such temporary service count towards their pension?

Answer by the Hon'ble MR. DONALD :—

" In normal times the answer to (*a*) is in the negative and so questions (*b*) and (*c*) do not arise. During the war, however, a certain number of Civil Assistant Surgeons has been recruited temporarily to fill the places of those deputed to military duty Some of these have been confirmed on the occurrence of permanent vacancies, but in respect of their temporary service the answers to questions (*b*) and (*c*) are in the negative."

By the Hon'ble Babu Siv Narayan Mukharji:—

25.

Relief measures in flood-stricken areas.

Will the Government be pleased to state—

(*a*) what steps have been, or are being, taken in order to give effect to the relief measures foreshadowed in His Excellency the Governor's reply to the memorial presented on the 6th February, 1918, by the inhabitants of the flood-stricken area—

(*i*) by widening the Rohra *khal*,

(*ii*) by connecting the Kana Nadi with the Sarda *khal* by means of a channel, and

(*iii*) by widening the Gopimohunpur *khal*,

with a view to drain away the spill of the Damuda;

(*b*) the nature and extent of the investigations carried on during the last flood season by the Public Works officer placed on the Damuda right embankment at Baikantapur; and

(*c*) whether, in the event of such investigations proving of considerable value, Government are considering the advisability of undertaking similar trial investigations at some such important centres as Khanakul in the Arambagh sub-division of the Hooghly district?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) (*i*) The Rohra *khal* is being surveyed: it is understood that the survey is approaching completion.

(*ii*) and (*iii*) The questions of connecting the Kana Nadi with the Sarda *khal* by means of a channel and of improvement by widening of the Gopimohunpur *khal* were investigated by Mr. Addams-Williams in April, 1918. As it is not anticipated that any good or stable results will follow the execution of either of these works, the proposals have been dropped.

(*b*) The inquiries made by the Public Works Department officer posted on the right bank of the Damodar at Baikantapur are confined to the embankment itself. As there was no flood of any magnitude during the year 1918, no observations could be made.

(*c*) No: Government do not consider any further observations are required at present, beyond those now being made in connection with the Rohra *khal*."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

26.

(*a*) Is it a fact—

(*i*) that in connection with the festival of St. Andrew's Day, the Rev. W. Thomson in the course of a sermon at St. Andrew's Church spoke as follows:— Offending sermon at St. Andrew's Church.

" A low type of religion may simply drive a man into unspeakable mire. An imperfect and incomplete religion, like Islam, may destroy the hope of full intimate personal communion with God, so great and paralysing is the gulf between Allah and the creature He has made, so far is the devotee from the assurance and joy of the Christian, comforted by the spirit ' bearing inward witness that he is God's Son;' "

(*ii*) that His Excellency the Governor was present when the sermon was delivered: and

(*iii*) that the Reverend gentleman in question receives a salary from public revenues?

(*b*) (*i*) Will the Government be pleased to state whether the Press Censor brought this matter to the notice of Government?

(*ii*) If so, when? and

(*iii*) What action, if any, have the Government taken in the matter?

(*c*) If no action has been taken in the matter, are the Government considering the desirability of taking some action in connection with this matter?

(*d*) If no action is proposed to be taken, will the Government be pleased to state the reasons for not taking any action?

Answer by the Hon'ble MR. KERR:—

" (*a*) (*i*) This passage appears in the reports of the sermon published in the newspapers, and Government have no reason to believe that they are incorrect

(*ii*) and (*iii*) Yes.

(*b*), (*c*) and (*d*) The Press Censor brought the matter to the notice of Government on the 7th December, but in the opinion of the Local Government there was no occasion for interference on their part, and to that opinion they adhere."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

27.

(*a*) Has the attention of Government been drawn to a letter published in the *Epiphany* of the 18th January under the heading " A conjecture " containing the following passage:— Publication of an objectionable letter in the *Epiphany*.

" Muhammadan world has been no philosopher in the true sense of the word nor has any freethinker born in them. Its founder Muhammad himself seems to have been a voluptuous man and as such he has established such a bad institution. We find not any such attribute in him that were possessed by the two latter. He had no touch of philosophy, and the Quran is but the translation of the Bible, only something altered."?

(*b*) (*i*) Has the Press Censor drawn the attention of the Government to this passage?

(*ii*) If so, when? and

(*iii*) What action, if any, are the Government taking in the matter?

(*c*) Are the Government considering the desirability of taking action against the paper under the Indian Press Act, 1910, or the Defence of India Criminal Law (Amendment) Act, 1915, or in any other manner that the Government might be advised?

(*d*) If no action is proposed to be taken, will the Government be pleased to indicate why writings such as those which have been put in the *Epiphany* are allowed to pass with impunity?

Answer by the Hon'ble MR. KERR :—

"The Press Censor brought the matter to the notice of Government on the 23rd January. For an answer to the rest of the question, the Hon'ble Member is referred to the *communiqué* which was issued on the 30th January."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

28.

Institution of legal proceedings against the Editor of the *Epiphany*.

Will the Government be pleased to state—

(*a*) the names of the lawyers who were consulted by the Government for ascertaining whether action under the Indian Press Act, 1910, could not be taken against the Editor of the *Epiphany* with respect to the matter which appeared in the columns of the paper recently; and

(*b*) whether the question of taking action against the said Editor under the Defence of India Criminal Law (Amendment) Act, 1915, and the rules made thereunder had been considered by Government; if so, will the Government be pleased to state the decision arrived at together with the reasons for such decision?

Answer by the Hon'ble MR. KERR :—

"The Legal Remembrancer and the Advocate-General were consulted. They advised that the publication of the letter would not justify action under the Press Act or under any other Act, or under the Defence of India (Consolidation) Rules, 1915."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

29.

Publication of papers *re* action taken against the *Epiphany*.

Will the Government be pleased to lay on the table the papers in connection with the action that they have taken with regard to the writings appearing in the *Epiphany* containing offensive references to the Hindu and Mussalman religions?

Answer by the Hon'ble MR. KERR :—

"The action of Government has been fully explained in the *communiqué* which was issued on the 30th January, and it is not proposed to lay any further papers on the table."

By the Hon'ble Mr. W. H. H. Arden-Wood:—

30.

(*a*) Will the Government be pleased to say if anything has been done to give effect to the recommendations of the Board of Management of the Calcutta Commercial Institute regarding the appointment of a Principal?

(*b*) Has any attempt been made to secure a Principal in India?

Appointment of a Principal for the Calcutta Commercial Institute.

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) and (*b*) In pursuance of the recommendation of the Advisory Board of the Commercial Institute that a highly qualified Principal should be appointed at once and the post advertised for in India, the Government of India have been requested to move the Secretary of State to sanction the creation of a post for the Principal in the Indian Education Service and to grant permission to this Government to advertise for the appointment in India. No orders have yet been passed on this Government's proposal."

By the Hon'ble Maulvi Abul Kasem:—

31.

(*a*) (*i*) Has the attention of Government been drawn to a letter published in the *Epiphany* of the 18th January, 1919, headed "A Conjecture"?

Publication of an objectionable letter in the *Epiphany*.

(*ii*) Are the Government aware that the whole letter as well as some of its passages are offensive to the Muhammadans and insulting to the religion of Islam and its Prophet?

(*b*) Are the Government considering the desirability of taking some action in the matter?

(*c*) Will the Government be pleased to consider the desirability of taking action against the publishers of the paper under the Indian Press Act?

Answer by the Hon'ble MR. KERR :—

"The Hon'ble Member is referred to the *communiqué* which was issued on the 30th January regarding this matter."

By the Hon'ble Maulvi Abul Kasem:—

32.

Will the Government be pleased to state—

Promotion and appointment of certain officers of the Calcutta Police.

(*i*) how many officers of the Calcutta Police have been promoted to the rank of Assistant Commissioner in 1918, and how many of them are Muhammadans, Hindus and Christians, respectively;

(*ii*) the total number of Assistant Commissioners and Superintendents in the Calcutta Police, and how many of them are Muhammadans, Hindus and Christians, respectively;

(*iii*) how many subordinate officers have been promoted to the rank of Inspector in the Calcutta Police in 1918, and how many of them are Hindus, Muhammadans and Christians, respectively; and

(*iv*) the total number of Inspectors in the Calcutta Police, and how many of them are Muhammadans and how many of the latter are special officers brought from the Frontier Province for Kabuli guard duty?

Answer by the Hon'ble MR. KERR :—

" (*i*) Two Inspectors were promoted to the rank of Assistant Commissioner in 1918. One of them was a Hindu and the other a Christian.

(*ii*) There are ten Assistant Commissioners in the Calcutta Police. Four of them are Hindus and six are Christians. There are now no officers of the rank of Superintendent.

(*iii*) Four officers were permanently promoted to the rank of Inspector during 1918. Two of them were Hindus and two Christians.

(*iv*) There are 31 permanent and substantive *pro tempore* Inspectors in the Calcutta Police. Of these 15 are Christians, 14 are Hindus and 2 are Muhammadans. One of the Muhammadans is a special officer from the North-West Frontier Province, employed on duty in connection with Kabuli emigrants "

By the Hon'ble Maulvi Abul Kasem:—

33.

Promotion of Babu Narayan Chandra Chatarji of the Calcutta Police.

(*a*) Is it a fact that Babu Narayan Chandra Chatarji a Sub-Inspector in the Calcutta Police, has recently been promoted to an Inspectorship and that there are Muhammadan officers who are senior to him?

(*b*) If so, will the Government be pleased to state the educational qualifications of Babu Narayan Chandra Chatarji and of the Muhammadan officers whom he has superseded with the reasons for such supersession?

Answer by the Hon'ble MR. KERR :—

" (*a*) Babu Narayan Chandra Chatarji has recently been temporarily promoted to be Inspector to fill a special appointment as Court Inspector for which special training is necessary. There is one Muhammadan Sub-Inspector who is senior to Sub-Inspector Narayan Chandra Chatarji.

(*b*) Officiating Inspector Narayan Chandra Chatarji has read up to the B.A Standard of the Calcutta University, and the Muhammadan officer above him is a graduate (B.A.) of the Allahabad University. Babu Narayan Chandra Chatarji has been promoted temporarily to fill a special appointment for which he has had special training and has shown special aptitude The Muhammadan officer has, as a matter of fact, not been superseded so far as permanent promotions are concerned, and will ordinarily resume his position above Babu Narayan Chandra Chatarji when both come to be confirmed as Inspectors."

By the Hon'ble Maulvi Abul Kasem:—

34.

Minimum qualifications for appointment in the Calcutta Police.

(*a*) Is it a fact that the B.A. degree has been prescribed as the minimum qualification for appointment in the Calcutta Police?

(*b*) If so, will the Government be pleased to state whether this rule is followed?

(*c*) Will the Government be pleased to state—

(*i*) the total number of Sub-Inspectors appointed directly in 1916, 1917 and 1918,

(*ii*) how many of them were Muhammadans,

(*iii*) how many of these Sub-Inspectors so appointed were not graduates, and

(*iv*) how many of these non-graduate Sub-Inspectors are relatives of high officers of the Calcutta Police?

Answer by the Hon'ble MR. KERR :—

" (*a*) The B.A. degree has been prescribed as the minimum qualification for appointment as Sub-Inspector in the Calcutta Police.

(*b*) Yes.

(*c*) (*i*) Twenty-three.

(*ii*) Five were Muhammadans. In addition, two Muhammadan Sub-Inspectors were appointed on transfer, one from the Bihar and Orissa Police and one from the Army. Other Muhammadan candidates were selected for appointment but failed to pass the medical examination.

(*iii*) Three of the 23 Sub-Inspectors appointed direct are under-graduates; but they were appointed before the B.A. degree was fixed as the minimum qualification for appointment as Sub-Inspector in the Calcutta Police.

(*iv*) None of these three under-graduates are related to high officials of the Calcutta Police, but one, a Muhammadan, is a brother of a Sub-Inspector in the Calcutta Police "

By the Hon'ble Maulvi Abul Kasem:—

35. (*a*) Is it a fact that a Muhammadan Inspector, Khan Sahib Abdur Rahim, was refused extension of service at a time when the post of Assistant Commissioner was first created, and that he stood first in seniority among all his contemporary Inspectors?

Extension of service of Khan Sahib Abdur Rahim of the Calcutt Police.

(*b*) Is it also a fact that a Hindu Inspector, Rai Sahib Baidya Nath Mukherji, was promoted to the post of Assistant Commissioner when he was already on extension and that since then he has received further extensions?

Answer by the Hon'ble MR. KERR :—

" (*a*) Khan Sahib Abdur Rahim retired in September 1915 on superannuation pension after he had received three extensions of service. His retirement took place some months before the rank of Assistant Commissioners was first created.

He stood tenth in seniority among the Inspectors at the time of his retirement.

(*b*) Rai Sahib Baidya Nath Mukharji was promoted to the post of Assistant Commissioner in March 1918. He attained the age of 55 years on the 1st July, 1916, and was given extensions of service for 2½ years in all. He finally retired on the 1st January, 1919."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

36.

Qualifications, etc., of students admitted into the Medical College, Calcutta.

Will the Government be pleased to state the number of regular students admitted into the Medical College, Calcutta, during each of the last six years, showing in a tabular form their respective University qualifications, nationality and religion?

Answer by the Hon'ble MR. DONALD :—

" A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. DONALD *to question No. 36 (Unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 18th February, 1919, showing the total number of regular students admitted into the Medical College, Calcutta, during the past six years, their respective University qualifications, nationality and religion.*

Year.	Total number admitted.	Qualifications.		Religion.		Nationality.	
1913	154	B.Sc. ...	13	Hindus	136	Bengalis	126
		B.A. ...	3	Mahomedans	7	Biharis and Uriyas.	10
		I.Sc. ...	95	Anglo-Indians	4	Nepalese	2
		I.A. ...	20	Indian Christians	3	Central Provinces	2
		Senior Cambridge.	3	Ceylonese Christian.	1	Madrassi	2
		Matriculation	19	Buddhists	3	Assamese	5
		School Final	1			Ceylonese	1
		Total ...	154	Total	154	Burmese	2
						Anglo-Indians	4
						Total ...	154
1914	154	B.Sc. ...	13	Hindus	132	Anglo-Indians	4
		B.A. ...	4	Mahomedans	11	Bengalis	123
		I.Sc. ...	98	Buddhist ...	1	Beharis and Uriyas.	17
		I.A. ...	15	Indian Christians.	6	Nepalese ...	1
		Senior Cambridge.	3	Anglo-Indians	4	Marhatti ...	1
		Matriculation	20			Burmese ...	1
		School Final	1	Total	154	Assamese ...	6
		Total ...	154			Madrassi ...	1
						Total ...	154
1915	162	M.A. ...	1	Anglo-Indians	3	Anglo-Indians	3
		B.A. ...	3	Hindus	147	Bengalis ...	136
		B.Sc. ...	19	Mahomedans	9	Beharis and Uriyas.	11
		I.Sc. ...	106	Parsi ...	1	Parsi ...	1
		I.A. ...	23	Ceylonese Christian.	1	Madrassis ...	2
		Senior Cambridge.	4	Buddhist ...	1	Ceylonese ...	1
		Sub-Assistant Surgeons.	5	Total	162	Burmese ...	2
		Matriculation	1			Assamese ...	6
		Total ...	162			Total ...	162

Year.	Total number admitted.	Qualifications.		Religion.		Nationality.	
1916	167	M.Sc. ...	1	Hindus	159	Bengalis	141
		B.Sc. ...	39	Mahomedans	7	Biharis and Uriyas.	17
		B.A. ...	3	Buddhist	1		
		I.Sc. ...	108		—	Assamese	6
		I.A. ...	12	Total	167	Burmese	2
		Sub-Assistant Surgeons	3		—	Marwari	1
		Matriculation	1			Total ...	167
		Total ...	167				
1917	164	M.Sc. ...	1	Anglo-Indian	1	Anglo-Indian	1
		B.Sc. ...	34	Hindus	151	Bengalis	135
		B.A. ...	5	Mahomedans	10	Biharis and Uriyas.	18
		I.Sc. ...	113	Indian Christian	1		
		I. A. ...	11	Parsi ...	1	Assamese ...	6
		Total ...	164	Total ...	164	Burmese ...	1
						Nepalese ...	1
						Parsi ..	1
						Panjabi ...	1
						Total ...	164
1918	167	M.A. ...	1	Hindus ...	148	Bengalis ...	137
		B.A. ...	9	Mahomedans...	13	Beharis and Uriyas.	18
		B.Sc. ...	44	Budhists ...	2		
		I Sc. ...	100	Parsis ...	2	Assamese ...	7
		I.A. ..	12	Indian Christians.	2	Burmese ...	3
		1st M.B. ...	1			Parsis ...	2
		Total ...	167	Total ...	167	Total ...	167

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

37.

(*a*) Will the Government be pleased to lay on the table a statement containing particulars as to the amount of money spent up to January, 1919, under the head of Irrigation—Minor Works and Navigation, in connection with the following items, sanctioned in the current year's budget, and the nature of the works done, namely :— Particulars as to amount spent under certain heads in the Public Works Department budget.

(1) preliminary works in connection with the Damodar reservoir scheme;

(2) projects for mitigating the effect of floods in the Burdwan Division, namely :—

(*i*) the improvement of the Baxi and Ghespati *Khals;*

(*ii*) the raising of the Ajai embankments necessary for the prevention of floods; and

(*iii*) the Hoorhoora-*khal* scheme;

(3) creating a spill from the Bidyadhari river;

(4) works in connection with the inquiry relating to the improvement of the Dhaleswari and Booriganga rivers;

(5) silt clearance in Tolly's Nalla;

(6) improvement of navigation channels of the river Ganges; and

(7) dredging the Bhagirathi entrance.

(*b*) Is the balance of the budget grant referred to in clause (*a*) above likely to be spent during the current official year?

Answer by the Hon'ble MR. COWLEY :—

"The statement is placed on the table."

Statement referred to in the answer by the Hon'ble MR. COWLEY *to question No. 37 (Unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 18th February, 1919, showing the amounts spent on certain irrigation works.*

DESCRIPTION.	Original budget provision.	Revised budget provision.	Actual expenditure to 31st January 1919.	Probable total expenditure to 31st March 1919.	REMARKS. (Nature of work.)
	Rs.	Rs.	Rs.	Rs.	
1. Preliminary works in connection with the Damodar reservoir scheme.	20,000	12,200	8,900	13,550	Surveys, levels, discharge and silt observations and general investigation work. Preparation of plans, estimates and designs for reservoir dam.
2. Projects for mitigating the effect of floods in the Burdwan Division, namely :—					
(*i*) The improvement of the Buxi and Ghesapati *khals*.	44,000	44,000	45,136	46,000	Earthwork.
(*ii*) the raising of the Ajai embankment necessary for the prevention of floods, and	23,000	22,000	20,824	22,000	Ditto
(*iii*) the Hoorhoora *khal* scheme	1,22,000	1,33,000	3,215	1,33,000	Land acquisition and earthwork.
3. Creating a spill from the Bidyadhari river.	3,00,000	3,00,000	1,50,305	2,91,000	Land acquisition, opening up spills, earthen groins, surveys and levels.
4. Works in connection with the inquiry relating to the improvement of the Dhaleswari and Booriganga rivers.	15,000	23,036	18,283	23,000	Surveys, levels, gauge observations and investigations into, conditions of rivers, flood slopes, drainage basins and preparation of plans, sections and estimates.
5. Silt clearance in Tolly's Nalla ...	7,900	14,000	9,248	11,000	Earthwork and hydraulic observations.
6. Improvement of navigable channels of the river Ganges.	10,000	10,000	4,134	9,210	Bandelling.
7. Dredging the Bhagirathi entrance.	15,000	4,000	2,436	3,000	Bandelling—no dredging has been done.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

38.

Republication of the "Rules and Orders of the Education Department, Bengal."

(*a*) Is it a fact that the book entitled "Rules and Orders of the Education Department, Bengal" has long been out of print?

(*b*) If so, from when?

(*c*) Are the Government aware of the fact that members of the managing committees of high schools are being taken to task by the inspecting officers of the Education Department for not keeping a copy of this book in the libraries of their schools?

(*d*) Will the Government be pleased to state the approximate number of applicants who have not yet been supplied with this book?

(*e*) Are the Government considering the advisability of republishing this book?

Answer by the Hon'ble MR. O'MALLEY:—

"(*a*) Yes.

(*b*) May, 1915.

(*c*) No.

(*d*) Approximately about 300.

(*e*) A revised edition of the book is almost complete and will shortly be published."

LIST OF BUSINESS—ITEM No. 3.

THE BENGAL VILLAGE SELF-GOVERNMENT BILL, 1919.

The Hon'ble Sir Henry Wheeler moved that the Report of the Select Committee on the Bengal Village Self-Government Bill, 1919, be taken into consideration.

LIST OF BUSINESS—ITEM No. 4.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved, by way of amendment, that the Bill, as amended by the Select Committee, with the Report of the Select Committee, be republished.

He said:—

"My Lord, in bringing forward this motion, I beg to assure this Council that it is not my intention to delay by even a single day the introduction of a

measure which, I can well foresee, augurs well for great improvements in the condition of the rural population of this Presidency. We are all agreed that so far as lessons in self-government are concerned, it is in the villages that the elementary principles must first be learned and that it is by experience in the lowest rungs of the ladder that we can aspire to a higher and higher measure of self-government in this country. It is because, my Lord, I feel the importance of this question that I have ventured to bring forward this motion in order that the public at large may have the fullest opportunity, not merely to discuss the provisions of the Bill, as they now stand, but also in the light of experience and of local knowledge to place before your Excellency's Government such recommendations as will ultimately conduce to the success of this measure. It will be within the recollection of this Council that the Bill was originally introduced on the 4th April, 1918, and, in accordance with the rules, the Bill was duly published and circulated to various public bodies including District Boards, and to various leaders of public life and political thought in this country. A large volume of opinions has been collected when the Bill went into the Select Committee, and there are indications that all these opinions were very carefully considered, and I must say that the Select Committee devoted a good deal of time and labour in order to bring the provisions of the Bill in conformity with the opinions that had been expressed. But when all is said and done, it will at once appear from the list of amendments in the agenda paper that although substantial amendments have been made, the provisions as they stand are far from being satisfactory. There is one matter, for instance, to which I should like to draw the attention of this Council. There was a proposal at first to have a system of circle boards, which would have authority over what was originally thought to be village Committees, and these circle boards to work under the directions of the district boards. The Select Committee has done away with this proposal for having circle boards, the idea being that the work that was proposed to be made over to the circle boards would continue to be done by the present system of local boards. Whether the proposal for having circle boards or whether the suggestion of the Select Committee that it will be better to stick to the present system of having local boards—whether either of these two suggestions represents the considered opinion of the leaders of public thought in this country is a question which I need not discuss. But the fact remains that as soon as we get out of the very narrow area of operations as represented by the village committees, or the union boards, there are difficult and complicated problems which ought to be solved and solved in such a manner that the introduction of a system of self-government may be something like a real substantial measure. Having considered this question from the point of view which I am now submitting before this Council, I find, my Lord, that there are certain difficulties in the way—difficulties which in my opinion can hardly be ignored and which in some respects appear to me to be of a somewhat insurmountable character. I have read some of the opinions, and one comes from a gentleman who occupies the position of a non-official chairman of a district board in this presidency, who thinks that taken all in all the Bill itself is a retrograde measure and ought not to be introduced in this Council. So far as that opinion is concerned, I beg to differ from him: I do not consider this to be a retrograde measure, provided only some amendments perhaps of some substantial nature are made in the provisions of the Bill. But when all these matters are considered it will be seen that the Bill after it has emerged out of the Select Committee has been so thoroughly recast that it is necessary in the interests of all concerned that the public should once again have an opportunity of expressing their views on the provisions of the Bill. It may be said that with all these amendments before us, this Council will have the fullest opportunity of discussing them, and after these discussions it will be time enough to consider whether the law as it stands or as it will stand after the amendments are accepted by this Council, or at least some of them have been accepted, will or will not satisfy the requirements of the case. But, my Lord, it is one thing for Hon'ble Members here in taking part in the debate, which will be more or less of a formal,

measure which, I can well foresee, augurs well for great improvements in the condition of the rural population of this Presidency. We are all agreed that so far as lessons in self-government are concerned, it is in the villages that the elementary principles must first be learned and that it is by experience in the lowest rungs of the ladder that we can aspire to a higher and higher measure of self-government in this country. It is because, my Lord, I feel the importance of this question that I have ventured to bring forward this motion in order that the public at large may have the fullest opportunity, not merely to discuss the provisions of the Bill, as they now stand, but also in the light of experience and of local knowledge to place before your Excellency's Government such recommendations as will ultimately conduce to the success of this measure. It will be within the recollection of this Council that the Bill was originally introduced on the 4th April, 1918, and, in accordance with the rules, the Bill was duly published and circulated to various public bodies including District Boards, and to various leaders of public life and political thought in this country. A large volume of opinions has been collected when the Bill went into the Select Committee, and there are indications that all these opinions were very carefully considered, and I must say that the Select Committee devoted a good deal of time and labour in order to bring the provisions of the Bill in conformity with the opinions that had been expressed. But when all is said and done, it will at once appear from the list of amendments in the agenda paper that although substantial amendments have been made, the provisions as they stand are far from being satisfactory. There is one matter, for instance, to which I should like to draw the attention of this Council. There was a proposal at first to have a system of circle boards, which would have authority over what was originally thought to be village Committees, and these circle boards to work under the directions of the district boards. The Select Committee has done away with this proposal for having circle boards, the idea being that the work that was proposed to be made over to the circle boards would continue to be done by the present system of local boards. Whether the proposal for having circle boards or whether the suggestion of the Select Committee that it will be better to stick to the present system of having local boards—whether either of these two suggestions represents the considered opinion of the leaders of public thought in this country is a question which I need not discuss. But the fact remains that as soon as we get out of the very narrow area of operations as represented by the village committees, or the union boards, there are difficult and complicated problems which ought to be solved and solved in such a manner that the introduction of a system of self-government may be something like a real substantial measure. Having considered this question from the point of view which I am now submitting before this Council, I find, my Lord, that there are certain difficulties in the way—difficulties which in my opinion can hardly be ignored and which in some respects appear to me to be of a somewhat insurmountable character. I have read some of the opinions, and one comes from a gentleman who occupies the position of a non-official chairman of a district board in this presidency, who thinks that taken all in all the Bill itself is a retrograde measure and ought not to be introduced in this Council. So far as that opinion is concerned, I beg to differ from him: I do not consider this to be a retrograde measure, provided only some amendments perhaps of some substantial nature are made in the provisions of the Bill. But when all these matters are considered it will be seen that the Bill after it has emerged out of the Select Committee has been so thoroughly recast that it is necessary in the interests of all concerned that the public should once again have an opportunity of expressing their views on the provisions of the Bill. It may be said that with all these amendments before us, this Council will have the fullest opportunity of discussing them, and after these discussions it will be time enough to consider whether the law as it stands or as it will stand after the amendments are accepted by this Council, or at least some of them have been accepted, will or will not satisfy the requirements of the case. But, my Lord, it is one thing for Hon'ble Members here in taking part in the debate, which will be more or less of a formal,

and until the Bill was committed to the Select Committee, and when the Select Committee sat over it, deliberating over the provisions and then submitted their Report to this Council, then and then only we woke up to the responsibilities of our position, and within the 14 days at our disposal we managed to send in notices of our amendments which came up to about 283 in number. I say all this because I feel that the country at large has now realised that Government is in earnest in introducing a measure of this kind, and whether they express their opinion or not, if they have got ultimately to complain, they will have themselves to blame, and judgment will go against them by default. The people do realise it now ; and therefore I venture to hope that if this Bill is republished, your Excellency's Government will find suggestions of a very important character coming from unexpected sources.

I do not wish to take up the time of this Council, because, shortly put, my reason is that in view of the very great importance of the provisions of the Bill and in view of the importance of the measure itself, it is necessary that the matter should be considered and reconsidered ; and, if possible, considered again before it is put on the Statute Book. There is nothing to be lost in a little delay, there may be much for which we may have to regret by hurry, and since there is no great urgency in the measure I beg respectfully to submit that the public should be given another opportunity, in view particularly of the fact that the Select Committee have made substantial amendments and that the Bill as it has emerged out of the Select Committee is in many respects a totally different measure from the one on which public opinion had been collected before the commitment of the Bill to the Select Committee.

With these few words, I beg to commend this motion for the acceptance of your Excellency's Government and of this Council."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I am unable to advise the Council to accept the amendment which has been moved. When I received notice of it, I was at some loss to imagine the reasons which the Hon'ble Member would put forward in its favour ; and I must say that, even now, after having heard his speech, I am still not clear, beyond the generalities with which he has favoured us, why precisely we should take the course which he now desires : neither does his argument seem to me to be always consistent. He begins by saying that he has no desire to delay a measure which, he admits, augurs well for the future of village self-government, and he is himself conscious of the importance of the development of that side of the administration. Then he proceeds to argue that as we have gone on so far without these changes, we may as well go on a little longer, and finally he holds out the prospect that even if we republish the Bill for general consideration now we might, even on receipt of the replies, advantageously do so a third time. Surely the disclaimer with which he opened his speech and the statement with which he closed it are hardly consistent.

Apart from this, as far as I followed him, his theory is that the Select Committee has materially recast the Bill and made changes of principle in it which render it, in fact, a different measure from what it was when Sir S. P. Sinha introduced it in April, 1918. That contention, Sir, I do not think is valid, nor will it be borne out by a study of the amendments proposed by the Select Committee. The one main amendment of substance which we made in the Select Committee was to drop circle boards ; but even that was not a proposal which sprang from the heads of the members of the Select Committee, having no basis anywhere else. It was merely action taken after consideration of the opinions that were received and the criticisms that were

y those whom we consulted. Assuming that the circle boards be it cannot be said that we have made any further radical departure, we have fallen back on the existing system of local boards, and not, therefore, materially changed the lines of the present Local ernment Act. I think I remarked at a previous meeting that ırded the idea of doing away with local boards, leaving the whole ration to be run by district boards, working possibly through ium of standing committees, which might have been described lutionary change in the Bill as originally framed. Apart from hink it can be shown that our amendments are largely verbal and ntial, following, for instance, from the dropping of circle boards, and ıges in nomenclature by the adoption of the words 'union board', ench' and 'union court'; other verbal changes were designed to arious sections more clear, or to embody what seemed to us to be nents. But, in substance, the Bill as it emerged from the Select ee remains what it was when it was sent to the Select Committee: o say, the Bill is designed to set up small local authorities in groups s called unions; to put in the hands of those local authorities the old s of chaukidari panchayats and the duties of the local self-govern- ion committees; to give them extended powers in matters of sanita- the like, so that they may exercise a greater influence for good, and to n slightly wider powers of taxation so that they can finance these nents; finally the Bill attaches to selected members of union boards inor criminal and civil powers. That is what the Bill started with is what the Bill has ended with, at its present stage, and it cannot be said that it is substantially different from what it was originally. s so, I maintain that it cuts away most of the grounds of the nover's proposal; and it is also curious that he can only tell us in eral terms that the provisions are still far from satisfactory. That is isation which it is perfectly easy to make but we surely may ask for nore detail. The only specific point he mentioned was the abolition boards, with which I have already dealt, although I am not clear the hon'ble member himself approves or disapproves of that change. iceable that it has not been challenged in any amendment. Other- tells us vaguely that the question is full of problems and difficulties, does not carry us much further. It brings us, however, to another roposition of the hon'ble member, namely that this Council is not fit amendments as it has not got the requisite knowledge, and that we r to public opinion at large. If we accept that argument, we may well dissolve ourselves entirely, as evidently we are absolutely ent to discharge our functions, but it is obviously a far-reaching ation which will carry us into rather an unacceptable conclusion.

s a fact that a great many amendments have been tabled; but the list is rather appalling at first sight. I think on analysis it found that there are not so many defects in the Bill as might be Many of the amendments overlap; many of them are conse- to one another, and if we look at the main points which have sed by them, they reduce themselves very much to the follow- ere are a certain number of amendments dealing with the posi- circle officers, whom some hon'ble members would apparently e eliminated. We have rather more amendments dealing with the position of the district board and the district magistrate respecting erintendence of these union boards. Apparently, some hon'ble have taken a blue pencil and have substituted the words 'district r 'district magistrate' wherever the latter occur, and have so tabled umber of amendments of that class. Then, we have a certain of amendments touching the qualifications of voters for these union. That, however, is a matter of detail, and nobody has challenged the rinciple of election. Then, we come to a considerable number of

amendments connected with the control over dafadars and chaukidars which, as I think we all know, is a subject of a very longstanding in Bengal. Whenever a Bill of this kind is brought forward, whether it is referred to the country two times or three times, I prognosticate that we will have the same old arguments in Council about the proper position of chaukidars *vis â vis* the village on the one side and the police on the other, which have been brought forward continuously for many years. Then, we have amendments dealing with the functions of union boards, but not in any sense challenging the main principles of the Bill, and amendments made with a desire to make it obligatory on Government and district boards to make statutory grants to these smaller bodies ; that again is a question of detail which can be discussed in Council, and it does not interfere with the fundamental character of the Bill. Lastly, we have minor amendments with regard to the procedure of union benches and courts.

That, Sir, is the general nature of the amendments suggested, and I submit that we are perfectly competent now to discuss them and to arrive at decisions. I would again point out to the Council that this is in no sense a new measure : it traces its origin at least to the Police Commission in Lord Curzon's time : from there we can trace it to the Decentralization Commission in 1907-09, and so to the District Administration Committee of 1913-14. Can anybody under these circumstances say that this subject is a new one on which the province has not had sufficient time to make up its mind ? It is not a new one ; it is almost grey with age. I submit that a further expression of public opinion would not help matters much, as singularly little interest has so far been taken in the matter, although, within the last two days, two prominent Calcutta papers have had articles on the subject. It is noticeable that one of those papers specifically approved of the abolition of circle boards.

Therefore, Sir, on all these grounds I submit that we should not be well advised to adopt the procedure which has been urged."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, there is always much to be said against slackness and in favour of despatch. I indicated at the very outset that the proposal that I made would entail some delay, but I sought to justify my suggestion on the ground of the importance of the measure which we are now discussing. It is true that I have confined myself more or less to making general remarks, because, on a motion of this character, I thought that it would not be open to me to go very much into details, having regard to the fact that my substantial proposal is that the provisions of the Bill may be again reconsidered by the general public. If this motion is defeated and if I am to move the next amendment, perhaps I will be able to go into somewhat fuller details. I never intended to convey the idea that this Council is not competent to deal with this Bill on the ground that we have not got the requisite local knowledge or experience. What I wanted to say was this—that we are here about 50 of us who would have to express opinions on the provisions of the Bill in a debate of a more or less formal character. We had just a fortnight under the rules to read the Bill as amended by the Select Committee, to go through the various opinions that had been expressed on the provisions of the Bill as it originally stood, and then formulate our amendments within this brief period of a fortnight. I hope the Hon'ble Members, on my left, who are members of the public service, will be pleased to recollect that the members on my right are not wholetime servants of this Council, that they have got other businesses to attend to, that their time is not their own and it is only by little snatches from amidst various engagements that they can find time to consider the subjects that come up for discussion in this

Council, and in matters like this to make proposals or amendments as regards important legislative enactments : a fortnight is much too brief a period, I beg respectfully to submit, for a study of two big volumes like these, my Lord, to compare how far the opinions have become obsolete by reason of the amendments that have been made by the Select Committee and then consider the Bill as amended by the Select Committee and suggest amendments. I can say that if I am given a few days more, I can bring forward half a dozen more amendments of a very important character. I know some have escaped from my memory, and it even struck me last night that I could have suggested them. I am extremely sorry that I had not time to suggest them. So it is no use saying that we can certainly deal with amendments : we have got the jurisdiction to do so, and as a matter of fact we can dispose of the amendments after discussion one way or the other. But can it be said that this formal discussion will be sufficient for the consideration of the problem in all its aspects, and is it not somewhat different for a man who can read at leisure to consider it in all its bearings and take some time to make suggestions and amendments? As a matter of fact, the amendments that we have got now before the Council are the amendments which the Hon'ble Members have been able to suggest in the briefest period of time, after having studied the collections of opinions in the two volumes which we have got. Therefore what I meant to say was that although we are certainly able to discuss the provisions of the Bill or to make whatever amendments which seemed to us to be necessary, it is something quite different for the Bill to be before the public once again, so that they might have time and leisure to formulate their opinions. I do not wish to repeat my arguments. I once again press this motion before the Council in the hope that the proposal will be accepted."

The motion was then put and a division was taken with the following result :—

Ayes—17.	*Noes—23.*
The Hon'ble Sir Nilratan Sarkar, KT.	The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
„ Raja Hrishikesh Laha, C.I.E.	„ Mr. J. G. Cumming, C.S.I., C.I.E.
„ Kumar Shib Shekhareswar Ray.	„ Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
„ Babu Brojendra Kishor Ray Chaudhuri.	„ Mr. J. H. Kerr, C.S.I., C.I.E.
„ Sir Deba Prasad Sarbadhikari, KT., C.I.E.	„ Mr. C. J. Stevenson-Moore, C.V.O.
„ Rai Debender Chunder Ghose Bahadur.	„ Major-General W. H. B. Robinson, C.B., I.M.S.
„ Rai Radha Charan Pal Bahadur	„ Mr. J. Donald, C.I.E.
„ Maulvi Abul Kasem.	„ Mr. L. S. S. O'Malley, C.I.E.
„ Maulvi A. K. Fazl-ul-Huq.	„ Mr. M. C. McAlpin.
„ Khan Sahib Aman Ali.	„ Mr. F. A. A. Cowley.
„ Rai Sri Nath Ray Bahadur.	„ Mr. C. H. Bompas, C.S.I.
„ Babu Akhil Chandra Datta.	„ Mr. W. C. Wordsworth.
„ Rai Mahendra Chandra Mitra Bahadur.	„ Mr. S. G. Hart.
„ Babu Surendra Nath Ray.	„ Sir Rajendra Nath Mookerjee, K.C.I.E.
„ Babu Mahendra Nath Ray, C.I.E.	„ Mr. W. H. H. Arden-Wood, C.I.E.
„ Babu Kishori Mohan Chaudhuri.	„ Mr. Aminur Rahman.
„ Babu Ambika Charan Mazumdar.	„ Mr. Provash Chunder Mitter, C.I.E.
	„ Babu Siv Narayan Mukharji.
	„ Mr. Arun Chandra Singha.
	„ Mr. W. E. Crum, O.B.E.
	„ Mr. W. H. Phelps.
	„ Mr. G. A. Bayley.
	„ Mr. H. R. A. Irwin, C.I.E.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
„ Mr. C. F. Payne.
„ Rai Priya Nath Mukharji Bahadur, I.S.O.
„ the Nawab Bahadur of Murshidabad.
„ Mr. J. Mackenzie, O.B.E.
„ Mr. L. V. N. Meares.
„ Mr. F. W. Carter, C.I.E., C.B.E.
„ Dr. Abdulla-al-Mamun Suhrawardy.
„ Mr. M. Ashraf Ali Khan Chaudhuri.
„ Babu Bhabendra Chandra Ray.
„ Mr. Altaf Ali.
„ Mr. K. B. Dutt.

The Ayes being 17 and the Noes 23 the motion was lost.

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble Maulvi A. K. Fazl-ul-Huq moved, by way of amendment, that the Bill be recommitted to the Select Committee.

He said :—

"In bringing forward this motion I do not wish to go over the ground traversed in the discussions on the previous motion, but I will put forward my reasons very briefly. The Bill as amended by the Select Committee was introduced in this Council on the 18th January, and under the rules the 3rd of February was the last date for sending notice of amendments. Fourteen days is the time allowed under the rules for giving notice of amendments, and although fourteen days may be quite sufficient for studying a Bill of ordinary importance, it is certainly not sufficient for the study of so important a measure. The information that was collated and compiled by the Legislative Department came up to two big volumes, the bare study of which would take several weeks. Over and above that, we had not merely to consider the opinions that had been collected, but also to consider the various provisions of the Bill with reference to the opinions that had been expressed, and after we had done all that we are called upon to formulate our proposals by way of amendments to the provisions of the Bill. I submit that the time at our disposal was much too short for discharging business of so important and onerous a character. Along with this, I would respectfully ask your Excellency's Government to consider what I have already submitted before this Council that most of us on this side of the House have got other important duties to attend to, and we have really very little time at our disposal to devote for consideration of important question like this. The Select Committee has no doubt made some important amendments to the original Bill, but even then there are certain matters which the Select Committee has not taken into consideration. I say 'has not taken into consideration' because I find that on the matters to which I now refer, there seems to be an almost unanimity of opinion that the provisions of the Bill ought to be changed. One of these is as regards the question of finance of the union board. I am surprised, and I say it with some regret, that there were Indian members in

the Select Committee, and they did not realise the importance of this question from the point of view of making this experiment a success. We all know that the people in the rural areas are poor, but I do not know if the members of the Select Committee have really any adequate idea of the appalling poverty of the people in the rural areas. The District Boards in Bengal have got an aggregate average income of Rs. 3,88,125, and if we take the number of villages in a district on the average to be 3,000, that works out to about Rs. 125 as the amount that can be collected from the village by way of taxes and in the shape of road cess and public works cess. Now it may be that in grouping, these village union boards would consist of from 8 to 10 villages, and they would give us about Rs. 1,000 a year from road cess and public works cess, if the whole of that money goes into the hands of the union board. Possibly the District Boards will not agree to that, but they will make some grant. Let us say that the union board gets a grant which, together with the amount which they can raise by taxation in the village union, gives the union board an income of Rs. 1,000 a year. With this income they have got to pay the dafadars and chaukidars and to meet other expenses incidental to the union benches and union courts, and over and above that they will be called upon to undertake schemes of great importance, sanitary schemes, schemes for the improvements of the sanitation of the village, village roads, and some amount of money must be spent on elementary education, and so on. The question of funds, therefore, becomes of very great importance, and unless the union boards are substantially helped by grants from provincial revenues, I can say with the utmost confidence that any experiment in this direction is bound to end in failure. It is no use calling upon the villagers to form themselves into union boards, to tell them to improve the sanitation of the village, to teach them all kinds of things about improved hygiene and sanitation and at the same time to leave them to cope with their work with the slender resources at their disposal. We all know that some of the municipalities in this province have been condemned for inefficiency. I notice that there is at least one District Magistrate who attributed this inefficiency to the lack of public spirit on the part of the people of this country. I do not know whether that charge is well founded or not, because I have no experience of that portion of the country which is in charge of that particular magistrate, but I can say this much that the failure of the municipalities to produce better results is due not to the want of enthusiasm on the part of Indians, not for the want of capacity of the Indians to take upon themselves responsible tasks in the direction of self-government, but because of the lack of funds; and if the union boards are also called upon to undertake duties of such a responsible character with such slender resources at their disposal, the result will be a lamentable failure, which will be put to the discredit of the people of the country. I protest most strongly, my Lord, and I protest with all the emphasis that I can command, against the inauguration of a system of self-government in villages and leaving the people in the lurch and say—'you had better find funds for yourself'. The people are poor, and as will appear from even published Government reports, poor far below the standard in Europe or any other country. This is a matter which the Select Committee has not considered, and what will be the result? On that matter some mistakes have been made. Supposing I press that the whole of the money should come from local funds, that matter will be discussed in this Council, and there will be a division, and having regard to the fact that some of the non-official members from this side of the House are absent to-day, I know what the result of the division will be, and we will lose the motion. The result will be that the suggestion of such an important character, which has the unanimous voice of the country behind it, will be lost, simply because some of the members have not considered it their duty to come and attend the Council. My Lord, if this matter be committed to Select Committee, you will find that there is a large volume of opinion behind it, and if the members of the Select Committee take up this question, there will be no further necessity of discussing this matter in this Council. Then, my Lord, there are the

amendments which are proposed that the District Magistrate should not be given all the powers that the Bill proposes to give them, and that in place of the District Magistrates, the appellate authority should be the District Board. This is by way of amendments which we have been able to put forward before this Council, and can't I see what the result of these amendments will be? Votes on my right are given solid, but votes on my right are divided, and there are also members who do not attend, and the result is that although we are a majority of non-officials in this Council, it is only an illusory majority. I do not wish to leave any amendment to be decided by a division of votes in this Council, but would rather appeal to the Hon'ble Member in charge to consider the suggestions in accordance with their importance and on their merits, and I would also, failing that, like these matters to be considered coolly and calmly by a Select Committee, where we can have a more informal discussion, rather than in a discussion which partakes of the nature of a formal debate. I have already indicated that the time at our disposal is too short. Having regard to the fact that this Bill is of such an important character, I beg to submit that the Bill, in view of the suggestions that have been made, be recommitted to the Select Committee so that we may have a further opportunity of discussing the Bill and proposing further amendments for the Select Committee who may choose to accept the suggestion which we put forward. My only reason is, I confess, that 14 days is not sufficient, and if a little more time is given, perhaps we would be able to make important and substantial suggestions. My formal motion might have meant delay which the Hon'ble Members perhaps were not prepared to accept, but this motion will not entail a delay of more than a few months, I think, or even a few weeks. If it is recommended by the Select Committee perhaps the Bill might be passed into law during this session of this Council."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I am in favour of this resolution, but my reasons are entirely different from those of the hon'ble mover. One reason why I support this resolution is that I find 283 amendments still before us, and I dare say that many of these amendments must be worth considering, and I for one believe that the Select Committee is a much better place for considering many of these amendments than this Council. In the Select Committee, when matters are discussed across the table, reasons in favour and reasons against can be much better threshed out.

Then, my Lord, I find that the Hon'ble Member in charge of the Bill has brought forward at least two amendments, No. 5 amendment to clause 1A and No. 7 to clause 1B. That at any rate indicates that after the matter was gone through in the Select Committee, the Hon'ble Member in charge thought that it was necessary to have these amendments. There are also various important questions which require consideration. For example, there is the question about the residence clause of the voters, and the residence clause of the members. It has been suggested in the Bill that although a certain person may be tax-payer, if he is not ordinarily a resident in the village he should not be a voter even. Some of us think that if he is not ordinarily a resident in the village, he does not take sufficient interest to enable him to sit as a member of a village union board, but so long as he is a tax-payer, he ought to be a voter. There are various other important questions of principle upon which amendments have been brought forward. For instance, my Lord, there is the question of finance of these village boards. I do not agree with my Hon'ble friend Maulvi Fazl-ul-Huq that the district board or the village boards will not be able to find sufficient money to carry on the duties which will be entrusted to these unions. If they are not able to find the money, then I would say that it is no good having an Act on paper if money cannot be found to carry out the provisions of the Act. To start with, my

Hon'ble friend Maulvi Fazl-ul-Huq is not right when he says that the total income of the district boards is 78 lakhs of rupees—it is over a crore of rupees, and there are 24 district boards, and their total income is about a crore and 7 lakhs of rupees. I do not expect that the district boards will pay all their income to the union boards, but I do expect that the district boards will pay some portion of their income as contributions to the village union boards, if not for any other reason, for the simple reason that the village boards will take up some of the responsibilities of the district boards. So far as the contribution of the district boards is concerned, the Select Committee has decided that the matter should be left to the discretion of the district board. There may be a good deal to be said in favour of that decision. Another view has been put forward, that a certain portion of the total expense of the union boards should be met by the district boards. There may be a good deal in that also, but these are points which can perhaps be better discussed in Select Committee, and I suggest, my Lord, that the matter may be referred to the Select Committee, with all these 283 amendments, so that when the whole thing comes back to the Council, I hope it may be possible for the Council to deal with this matter within the course of this official year, but even if it is not possible to do so, I hope it will be possible to finish the matter at the Dacca sitting of the Council, and when the time for discussion comes, perhaps the official members may be in a position to accept some of the amendments. If they are not, perhaps they will be able to give full consideration in the presence of non-official members in Select Committee and discuss matters fully with them, so that ultimately when the matter comes back to the Council, much time will be saved. For these reasons I support the amendment."

The Hon'ble Maulvi Abul Kasem said :—

"I rise to support the motion of my hon'ble friend to my left and I do so on the simple ground that, even after the 3rd February, the last day for sending in amendments, I, and many of my hon'ble friends, have received communications from our constituents suggesting various amendments, and I think it is desirable that the Bill should be recommitted to the Select Committee for the consideration of these 283 amendments and of many other suggestions which we had not the time nor the opportunity to make. Besides that, the real grievance of my hon'ble friend appears to be that the time at the disposal of the members of this Council was not sufficient, not only to consider the provisions of the Bill, but also to consult their constituents, and I hope, my Lord, that Your Excellency's Government will accept this resolution and allow us to have further time to make our suggestions and let the whole question be again considered in the Select Committee, who might be able to put the Bill in the form which will be acceptable by the non-official members of the Council and by the people at large. When this Bill was introduced Your Excellency was pleased to observe that this Bill was the Bengal Government's contribution to the constitutional building, and I may add that this may prove to be the foundation of the building, and I hope that it will be well and truly laid so that the edifice may be strong. I hope that the Hon'ble Member in charge will accept this amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, after all the speeches that have been made I should like to say only a few words. I have in the first place listened to the arguments of the Hon'ble Maulvi Fazl-ul-Huq and the Hon'ble Mr. P. C. Mitter. I think if you weigh the arguments on both sides you will find, specially after what

has fallen from the Hon'ble Maulvi Fazl-ul-Huq and the Hon'ble Maulvi Abul Kasem, that the main contention on behalf of the non-official members is this: This measure emerged from the Select Committee on the 18th January last. It has been in our hands only for fifteen days, which is the usual time allowed in connection with all Bills that emerge from the Select Committee. In this brief interval we are expected to digest the report of the Select Committee, and the voluminous collection of opinions which we have here in two volumes, to discuss the matter with our friends who are better acquainted with mufassal life, and to formulate our suggestions and submit them to the Council. This is too short an interval, particularly for people who have also other business to attend to. Even to those members of Council who are in a position to devote more time to public affairs a period of fifteen days is quite inadequate for the consideration of such an important measure as this, which, as has been observed by the Hon'ble Maulvi Abul Kasem, will form the foundation of the edifice of self-government in Bengal. My Lord, what is primarily intended, notwithstanding the wording of the motion, is to gain more time in order to consider the matter more fully and discuss it among ourselves both in this Council and outside it, and to find out if there are any important matters which have not occurred to any of us and to prepare additional amendments on them and submit them for the consideration of the Council. If I may be permitted to move an amendment, I would move that the consideration of the report of the Select Committee be postponed for a month and be taken up by the Council thereafter here or at Dacca, though I would prefer the matter to be taken up in Calcutta. My hon'ble friend has commented upon the absence of certain non-official members to-day. It is not compliment to the public spirit or the patriotism of the non-official members who are the chosen representatives of the people to be absent to-day. I, therefore, cannot help thinking that if this measure is referred to the Dacca meeting of the Council, as has been suggested by the Hon'ble Mr. P. C. Mitter, the position will be worse. I am afraid the attendance there will be such that my hon'ble friend will wish that he had never moved for the postponement of this measure. Having regard to these facts I am still of opinion that if Your Excellency can see your way to extend the time for at least a month it will meet the situation. I am not in favour of referring the Bill back to the Select Committee, for after all the Select Committee will consist of more or less the same gentlemen as before. They have already considered these very points in the Select Committee and also the suggestions and objections which have been urged by public bodies and individuals, and therefore it is no good referring the Bill back to the Select Committee. But as I have said, in order to gain time we will vote for whatever motion is before us. The main thing we want is more time, which I submit is not a very unreasonable request. I think that, having regard to the importance of the subject and to the fact that the attention of the whole country is fixed on this Bill, I hope Your Excellency will see your way to grant this request."

The Hon'ble Mr. Aminur Rahman said :—

"My Lord, in his previous motion the Hon'ble Maulvi Fazl-ul-Huq wanted us to accept a doctrine which if adopted would throw the whole system, by which legislative enactments are made, into absolute confusion. He told us that an important Bill should be referred over and over again for public criticism till someone somewhere is satisfied that all possible criticisms have come in and have been considered. That motion has been disposed of and I see that my hon'ble friend has cut down his demand considerably in his second speech. He has said that we ought to have more time to consider the alterations that have been made by the Select Committee. And now he is putting forward another motion on the same principle as the first one. He

says, if you do not refer it back to the public refer it back to the Select Committee. The public had nearly a year to think over the whole Bill. In the Select Committee we considered all the criticisms that have been made by various public bodies and by distinguished men, public officers and public men in this province. It is in the light of these criticisms that the Select Committee made the alterations. If the public were indifferent to the Bill for one whole year what guarantee can my hon'ble friend give that the public will take more interest in it now? If the public had about a year to send in their criticisms we can safely assume that we have had in all the criticisms that could be made upon the Bill. A perusal of the amendments that have been put before us for consideration to-day would show that these amendments have been suggested on the lines of the criticisms that have already been made by public bodies and public men. If the Bill is now sent back to the Select Committee we shall have to consider the same points over again, go through the same process of reasoning and probably come to the same conclusion. The Hon'ble Maulvi Fazl-ul-Huq has brought forward one point, and in that connection he has accused the Select Committee of indifference and also of ignorance. He has said that the Bill as altered by the Select Committee has not made any provision for the financing of important projects by the union boards. Clause 46 distinctly says that the district board may make to the union board such grants-in-aid from the district fund as they may think fit in order to enable the union board to carry out any of the purposes of this Act, and may attach to such grants any conditions that may appear to the district board to be reasonable. Assuming that the district boards only undertake such work as their funds permit, and assuming also that the union boards will not be able to initiate any kind of work which they are not able to undertake themselves, we must come to the conclusion that the district boards would not saddle the union boards with the responsibility of any important work unless they could provide funds forthwith. The union boards also will have other means of income, as indicated in clause 47. Now considering that this clause was inserted in the Bill I cannot see how my hon'ble friend Maulvi Fazl-ul-Huq can accuse the original authors of the Bill or the members of the Select Committee of indifference or ignorance. I do not see what purpose will be fulfilled by referring the Bill as altered by the Select Committee with the amendments that have come before us to the Select Committee again. I think my hon'ble friend will agree with me that this House should ultimately decide what should be the form and contents of the Bill, and if that be so, I think that this is the proper place where alterations made by the Select Committee and also amendments suggested by the members of this House should be jointly considered. The effect of my hon'ble friend's motion would be that the final acceptance of the Bill would be delayed, and if my Hon'ble friend Rai Radha Charan Pal Bahadur's suggestion is adopted probably it will be indefinitely postponed, and another effect will be that in a discussion of the Bill in the Select Committee, and again in this House, the larger aims of the Bill would be lost sight of and we shall simply raise issues of ordinary importance which will make the Bill much worse than what it is. Therefore, I cannot agree with my hon'ble friend's motion that the Bill should be referred to the Select Committee again."

The Hon'ble Mr. Crum said :—

"My Lord, I am not going to vote in favour of this amendment if it is not acceptable to the Government, but I would like to suggest that Government should consider the suggestion, though from rather a different point of view to what has already been put forward. There are before us some 300 amendments and they are sure to take up the time of this House for 3 or 4 days. I admit that I have not studied these amendments very

carefully and that I have not read through all the opinions which have been given since the Bill was first published. But I would like Government to consider whether by referring the Bill back to the Select Committee for the discussion of these amendments it would not be possible to accelerate matters. In the Council when a subject is discussed—as for instance the resolutions on the reform proposals—we take up a tremendous lot of time and everybody likes to make a formal speech. But in an informal committee the work can be got through very much quicker. It may be, as the Hon'ble Mr. Aminur Rahman has said, that all these points have already been discussed in the Select Committee and that they are not prepared to go through them again, for they have done the best. If that be the case, I have nothing to say. But if in any way the work can be accelerated by the Bill being referred back to the Select Committee for the discussion of the amendments, then I think Government should consider the suggestion."

The Hon'ble Mr. Irwin said :—

"My Lord, in view of the extreme importance of the Bill I beg to support what the Hon'ble Mr. Crum has said on the subject. I think it would be in the public interest that more time should be given to the consideration of this Bill."

The Hon'ble Mr. Phelps said :—

"My Lord, I feel some hesitation in addressing the House so soon after my initiation. But there is one aspect of this Bill which does not seem to have occurred to the Select Committee. The Bill, as I understand, refers solely to villages in existence. I have travelled through Eastern Bengal several times recently and I have been impressed with the fact that villages and townships have arisen where there were none before. What happens is this. In the jute district a Calcutta firm wishes to establish a new agency. They choose a spot on a waterway suitable for the purpose and they secure, say, one hundred or two hundred yards of land (or whatever they may want) on the foreshore for the erection of their godowns and model bungalows for their manager and his assistants. To this nucleus of a new town is attracted all those people in the vicinity who are interested in jute; but it appears to me that these people are allowed to establish a village or township without any regard to roads. The huts and godowns even extend down to the water's edge in a higgledy-piggledy manner so that there is no 'strand road' and no place where the inhabitants can assemble and enjoy social amenities and discuss their affairs. The roads seem to be non-existent between these corrugated iron sheds and godowns. But if this Bill goes back to the Select Committee, I would like to suggest that some provision be made in the Bill for the regulation of the lay-out of new villages and townships. I am not one for advocating delay; but if the Bill is going back to the Select Committee, I would suggest that they should take up this question."

The Hon'ble Babu Mahendra Nath Ray said :—

"My Lord, I had no desire to speak on this motion, and I wanted simply to vote in support of this motion, but for what the members of the Select Committee have just stated. We worked very hard under the presidency of the Hon'ble Sir Henry Wheeler and we did our best; but we are not infallible: and when I find 283 motions in the shape of amendments before the Council, of which 20, not 2, come from the Hon'ble Sir Henry Wheeler himself, representing more than his proper share of the whole number, there is to my mind no doubt that the matter is one for re-consideration, and I shall therefore support this motion."

Sir Henry Wheeler.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I am not prepared to advise the Council to accept this amendment, largely on the ground that it is proposing a particular course, although the speakers who have advocated it admit that they do not really want that course to be taken but that they want to achieve another purpose.

"May I draw the attention of the Council to the Rules of Business, especially to rule 41, which says that every report by a Select Committee shall be presented to the Council, and shall be taken into consideration by the Council as soon as conveniently may be. That is what we have done in this particular instance. We were instructed, I might remind the Council, to submit our report by a particular date ; and we did so. After this presentation a convenient date was suggested on which we should deal with the report of the Select Committee. The next relevant rule is rule 46, which contemplates that any member may move that the Bill which has been amended by the Select Committee, be republished or be recommitted to the Select Committee. We have already had a motion for republication which has been lost, and about that I propose to say nothing more. We have now a second amendment for recommitting the Bill to the Select Committee. What is the object of so doing? And to understand the suggestion, we should see what the Council Rules enjoin us to do. Under our ordinary procedure, we introduce Bills in Council and circulate them for opinion : we then usually receive a number of opinions. In this case, we had a fairly large mass of opinions ; and the system of Select Committees is designed to avoid the worrying of Council with voluminous papers by delegating the task of examining them and making proposals regarding them to some of its members. The recent Select Committee accordingly did so, and presented its report to the Council ; and under the recognised procedure, the Council should now proceed with the Bill with the assistance of having had this preliminary examination done by a smaller body from among its members. That being our procedure, a recommitment to the Select Committee must mean that the Select Committee has not in some way or other done its functions properly ; but that argument is entirely cut away by the admission of the Hon'ble Maulvi Fazl-ul-Huq in the first speech which he made, to the effect that we had done our work—I do not remember whether he said very well—but at least fairly well. He seemed to admit that we had done our best to consider the opinions and to amend the Bill in the way that we thought best in the light of them. But if the Select Committee has already done its duty, which is that of the examination of these opinions, what else new is there that we should recommit this Bill to the Select Committee for ?

"Now, we have been told by one or two members that there are certain points in the Bill with which they do not agree. Mr. Mitter has raised the question of residential qualification of voters which, I submit, we can discuss when that point comes up. The Hon'ble Maulvi Fazl-ul-Huq has expressed grave doubts about the financing of these union boards—a matter relating to which various amendments have been moved—which in due time we can also discuss. The Hon'ble Mr. Phelps has suggested that there should be some provision for the inclusion in unions of new villages and enabling them to lay out proper roads, especially on the riversides. Possibly the Hon'ble Member is under a misapprehension, as, when a village of sufficient importance springs up, there is nothing in the Act to prevent its inclusion in a union, and in clause 31 considerable powers are given to union boards to make alignment of streets. Well, Sir, if there is no new matter which can be recommitted to the Select Committee for reconsideration, the whole thing boils itself down to certain points on which some Hon'ble Members do not agree with the conclusions of the Select Committee, and on which they are at liberty to move amendments, a liberty of which they have already

taken full advantage. If this is so I would again ask, what is the Select Committee to do, as it is admitted that it has fulfilled the purpose for which it was created ?

"The only answer we have is contained in the arguments of the Hon'ble Messrs. Crum and Mitter, that as there are numerons amendments to the Bill, it might save time by making the Select Committee examine them. But I submit, Sir, that such a step will place the Select Committee in a position which is not contemplated by our rules of procedure, under which it is not the duty of a Select Committee to go through a list of amendments, even if they do happen to be numerous. If we adopt a procedure of that kind, I do not know where the process will stop, and it might go on perpetually, since whatever the Select Committee reports it is not likely to be acceptable to all. Therefore, on the merits of the proposal to recommit the Bill to the Select Committee, I submit that a case has not been made out.

"I then come to the real argument which has been adduced by the Hon'ble Rai Radha Charan Pal Bahadur. He has admitted quite frankly that he wants a little more time to consider these amendments and the opinions received on the Bill. I may remind Hon'ble Members that the first collection of these opinions was sent out in September 1918, and we are now in February 1919, which has already given a fair amount of time to Hon'ble Members to read the papers : and although the second collection went out on the 26th November 1918, owing to their late receipt, Hon'ble Members have even then had an interval of two months if they cared to avail themselves of it. Moreover, the duty of a minute analysis of the opinions is particularly the function which the Council entrusts to the Select Committee to discharge. Therefore, when we are asked for more time and for a further postponement, the Local Government are not prepared to take the responsibility of recommending it. The extent of the delay, if the Bill is not proceeded with on this occasion, might be considerable. We are coming on to the Budget, and its discussion will occupy most of the rest of time available this cold weather. We have already been told by the Hon'ble Rai Radha Charan Pal Bahadur that it will be impossible, without considerable inconvenience, to take the Bill up at Dacca, and it may mean, therefore, that the Bill may not come up before next cold weather ; or in other words, it will be delayed for a year. Of course, if Hon'ble Members choose to vote that this should be done, it will be done : but I would disassociate the Local Government from any advice to that effect. I have already explained that this is not a new proposal—it dates back to the early days of this century : and the Local Government has perpetually been told that it has been remiss in not previously pushing on with this reform. The recommendations of the Bill have practically been before the country since 1913-14, and on a previous occasion I mentioned that the present Government of His Excellency would have been only too glad to have seen the Bill passed by our predecessors. That having not been done, it was one of the first tasks to which His Excellency applied himself to push through the recommendations of the District Administration Committee ; we have done our best to do so, at considerable personal inconvenience, and we have placed the result of our deliberations before the Council for discussion : if the Council thinks that we may wait for another year, the responsibility for doing so, as far as the Local Government is concerned, will lie upon the non-official members of the Council.

"There is only one other point to which I would like to make reference. The Hon'ble Babu Mahendra Nath Ray says that the work of the Committee could obviously not have been very well done, because certain amendments are down in my name. It is true that there are ; but if Hon'ble Members look at them, they will find that most are of a verbal character,

and those of importance in substance were inserted with the object of meeting and improving some of the amendments which have been put forward. It does not necessarily follow that amendments which are drafted by non-official members are always put in the best shape, and it is a normal procedure that, if Government sees its way to move some way in the direction of an amendment, it should place the amendment in a more acceptable form, which is the reason why some amendments of substance stand against my name.

"Well, Sir, that is the position which the Local Government would take in this matter. First, there is no justification on its merits for the motion as it stands, and secondly, in respect of the delay which the acceptance of the amendment would involve, it would be deprecated by the Local Government in the light of all that has been said (much of it by Hon'ble Members of this Council) in favour of the urgency of effecting a reform in this portion of the administration of the province."

The Hon'ble Maulvi Fazl-ul-Huq said :—

"My Lord, I will be very brief in my remarks because I feel that the question has already been discussed at a very great length, and it is time that we should decide and make up our minds one way or the other. I wish to make one or two points clear before I proceed to make a few remarks on the suggestions that have been made by some of the Hon'ble Members who have spoken in support of my motion. The Hon'ble Member in charge seems to think that the acceptance of my motion would mean a sort of reflection on the Select Committee. I do not know if that would really be the interpretation which could reasonably be put on a motion of this character. But I wish to make it clear that it is absolutely far from my mind to cast any reflection on the work that has been done by the Select Committee. I find, as I also said in the course of my speech on the first motion, that a recommitment of a Bill to a Select Committee is not without precedent. I find that in the proceedings of the Legislative Council of the 25th August, 1909, reported at page 226 of the Council Proceedings, there was a recommitment of a Bill to a Select Committee : later, on the 4th January, 1910, the proceedings recorded at page 4, there was a similar recommitment, and even in this present Council, on the 1st September, 1913, at page 728 we find that a Bill was recommitted to Select Committee. It is not for the purpose of saying that the Select Committee has done its work perfunctorily that I make a suggestion of this character. I have already made it clear, and the Hon'ble Members who have spoken in support of my motion have also made it clear, that it is because the matter is of extreme importance and that the time at our disposal was not sufficient that it would be better, in order to pass the Bill in a manner which would be of an absolutely non-contentious character, that the matter should be again reconsidered in Select Committee. I do not wish to make any reference to the speech of my hon'ble friend Mr. P. C. Mitter beyond this, that he slightly misunderstood me when he said that I spoke of the total income of district boards amounting to about 78 lakhs. I wanted to say something about the total income, but what I really said was about the average income of district boards which works out to something like Rs. 3,88,000 and odd, then I worked out that on an average the income that would be derived from local funds would be about Rs. 125. I may not be quite correct in this calculation, because I have made a rough calculation ; but what I meant to convey was that the income that could be derived from local rates in the villages would be very small indeed, and unless substantial grants are given by the district board or by the Local Government the union boards would have to depend upon local taxation for raising the funds that will be required to carry out the scheme. I say that the people are poor

and it would be expecting too much that they would be able to tax themselves to raise the requisite funds. I proceeded to say that if the funds at the disposal of union boards were not sufficient, the experiment would be bound to end in a failure. However, I need not labour upon that point. I do not wish also to refer to the other speeches that have been made; but I wish to say just a few words with reference to the remarks that have been made by my hon'ble friend Mr. Aminur Rahman; and I do with as much liberty as I can command, because I find that he has declared himself against me. I am not apprehensive of losing his vote, because he has already told me that he is not going to vote in favour of my motion. My friend remarked that the public had one full year to send in their suggestions. As an Indian he ought not to forget that there is a little failing in the Indian character which induces us to postpone matters up to the very last moment. I am saying so with the utmost deference, that if he has somehow or other got over the innate lethargy which is the characteristic trait of Indian character, he has no right to expect that all Indians generally have come up to that standard which teaches them to lose as little time as possible in the discharge of their duties. Now, supposing for a moment that the public had one full year, what about the Members of this Council? Surely, we were not expected to send in amendments before the Bill had been considered by the Select Committee and had been presented to the Council. The position therefore is this: it does not matter whether the Bill had been before the country for one year or even for five years or 15 or 20 years. So far as the Hon'ble Members of this Council are concerned, they had only 14 days and nothing further. Before the 18th January last we had no jurisdiction to send in our amendments. It was on the 18th January that the Bill emerged out of the Select Committee and was presented to this Council when the members had an opportunity of considering the Bill and the opinions and sending notices of amendments. It is no use telling us that the Bill had been before the country for about a year; it may be so. We were waiting to see how the Bill would be amended by the Select Committee. So, after all, his argument that we had the Bill before us for one year is beside the point, as it does not touch the very important question which we raise that we had not sufficient time to consider the provisions of the Bill. My hon'ble friend also seems to think that if this Bill is recommitted to the Select Committee, all these matters will be considered over again. True but the Select Committee will find that some of the amendments that have been proposed represent not merely the opinions of the public at large, but these opinions have got behind them the considered opinion of the Members of this Council, and although it may be that the Select Committee at the first sitting did not consider it of importance to accept the opinions that had been received from various sources, it may be that the Members will find that the opinions, which have come from various sources and have been endorsed by Hon'ble members, are entitled to sufficient consideration and due weight, and should be accepted. That changes the whole situation—283 amendments change the entire aspect of the case. It shows that the Hon'ble Members of this Council have also accepted some of the suggestions that have been put forward in the opinions, and although the suggestions may have been rejected by the Select Committee, they may be accepted in view of the fact that the opinions are endorsed by the Hon'ble Members of this Council.

"There is another important matter on which I wish to say a few words. The Hon'ble Sir Henry Wheeler seems to think that a recommitment of the Bill to the Select Committee would entail a year's delay—absolutely nothing of the kind. It may be recommitted to the Select Committee: the rules are not very strict on that point: a time-limit may be laid down within which the Select Committee will be able to finish their deliberations and present the Bill before the Council before it breaks up at the end of this session. I may,

say this that if the Bill is recommitted to the Select Committee, the Bill will be presented before the Council in an absolutely non-contentious form, and this will save time instead of going on with the consideration of these 283 amendments with all the speeches for and against. I submit that it would be an economy of time, if nothing else, to allow this Bill to go back to the Select Committee, so that it may emerge in a form for which there will be no necessity for sending notices of amendments.

"I do not wish to say anything further about district boards being saddled with grants to union boards. My hon'ble friend, Mr. Aminur Rahman, has pointed out to me that there is a provision in the Bill for district boards making some grants to union boards. I did not lose sight of that provision and if he will look at the amendments he will find that I have given notice of an amendment so far as that particular provision is concerned. But what I say is this, that there is a provision for using discretion as regards the levy of fees and if that discretion is exercised in favour of union boards there will be lack of funds. However, I do not wish to discuss the subject because it will be taking up the time of the Council quite unnecessarily.

"Before I sit down, I would submit that this Bill touches us—the Indian members—on the most vital points of our daily life in villages. So far as the European members are concerned, I wish to make one earnest appeal I ask them to remember that this system of self-government is one of the greatest boons that the beneficence of England can confer on the people of India, and if that is so, let it be a reality, and if it is sought to be made a reality, let us not hurry this measure through the Council in this form. My first motion might be considered to be unreasonable in the sense that it would entail a long delay, but this is a more modest proposal, and I have already indicated that matters may be so arranged that the recommitment and the final consideration of this Bill may all be finished before we break up at the end of this session. Therefore, my Lord, once again I commend this motion to the Council and I hope that it will be accepted."

The motion was then put and a division was taken with the following results :—

Ayes—21.

The Hon'ble Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Sir Nilratan Sarkar, KT.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chandra Mitter, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" " Rai Debendra Chandra Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Maulvi Abul Kasem
" " Maulvi A. K Fazl-ul-Huq.
" " Khan Sahib Aman Ali
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " Babu Mahendra Nath Ray, C.I.E.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—19.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Major-General W. H. B. Robinson, C.B., I.M.S.
" " Mr J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Mr. C. H. Bompas, C.S.I.
" " Mr. W. C. Wordsworth.
" " Mr. S. G. Hart.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. Aminur Rahaman.
" " Mr. W. E. Crum, O.B.E.
" " Mr. W. H. Phelps.
" " Mr. G. A. Bayley.
" " Mr. H. R. A. Irwin, C.I.E.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
" " Mr. C. F. Payne.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " The Nawab Bahadur of Murshidabad.
" " Mr. J. Mackenzie, O.B.E.
" " Mr. L. V. N. Meares.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Mr. K. B. Dutt.

The Ayes being 21 and the Noes 19 the motion was carried.

LIST OF BUSINESS—ITEM No. 9.

THE BENGAL PREVENTION OF ADULTERATION BILL, 1918.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, moved that the Bengal Prevention of Adulteration Bill, 1918, be referred to a Select Committee consisting of the Hon'ble Major-General Robinson, the Hon'ble Mr. O'Malley, the Hon'ble Mr. Duval, the Hon'ble Sir Nilratan Sarkar, the Hon'ble Raja Hrishikesh Laha, the Hon'ble Mr. Phelps, the Hon'ble Khan Sahib Aman Ali and the mover, with instructions to circulate their report in time for its consideration in Council at the meeting to be held on the 27th March, 1919.

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I may be pardoned if I make a suggestion for the addition of one name to this Select Committee. As your Lordship knows this Bill is a Bill which affects not only the mufassal, but also the town of Calcutta. Food-stuffs which come to this town are supplied by the country generally, and those representing the Corporation of Calcutta in this Council are interested not only as members of this Council, but also as members of the Corporation of Calcutta, to see that the right measures are enacted for the prevention of adulteration of food. The Bill excludes Calcutta from its operation, but Calcutta is vitally interested in this Bill, and, with the leave of the Council, I would suggest that my colleague the Hon'ble Rai Radha Charan Pal Bahadur, who has great experience in the working of the Corporation of Calcutta, should be associated with this Select Committee, so that he may have an opportunity of utilising this experience in the passing of this Bill through the Select Committee."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I think the Hon'ble Member is under some misapprehension, because so far as Calcutta is concerned the question will come up when the Calcutta Municipal Bill is brought before the Council and really this Bill, as he must have already seen when it was originally introduced, is going to affect the areas outside Calcutta, and that was made very clear in the Statement of Objects and Reasons. I therefore am sorry at not being able to accept

Rai R. C. Pal Bahadur; Babu M. N. Ray; the Maharajadhiraja Bahadur of Burdwan; the President.

the proposal made by the Hon'ble gentleman. I may further point out that so far as the Calcutta Corporation is concerned, I do not think that on the Select Committee there could be a better advocate than the Hon'ble Mr. Phelps whose name we have already included."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I wish to say one or two words. When a motion is made for the appointment of a Select Committee, although our votes are required to carry that motion, we have practically no voice, but simply have to say 'ditto' to the Hon'ble Member who moved for the appointment of the Select Committee. I thank my Hon'ble friend to my right for moving my name, but I am not very anxious to serve on the Committee, because the Hon'ble Member in charge apparently does not desire my services. The constitution of the Select Committee does not commend itself to a considerable number of the members on this side of the House. Now, my Lord, if it is a mufassal measure affecting mufassal municipalities only, I do not know why some of the experienced and prominent chairmen of some of these municipalities have been left out. Why have not the Hon'ble Rai Mahendra Chandra Mitra Bahadur and the Hon'ble Babu Mahendra Nath Ray been included in this Select Committee? Then, my Lord, I should have liked to see the Hon'ble Mr. P. C. Mitter on the Select Committee, but what I find is that none of the un-official members proposed are connected with any mufassal municipality. I do not know if the Hon'ble Khan Sahib Aman Ali is connected with any municipality—(A voice—'He is the Chairman of the Chittagong Municipality'). I am glad the Hon'ble Member in charge has selected one eminent member from distant Chittagong, although he has overlooked places nearer Calcutta. If I am permitted, I would move that the Hon'ble Babu Mahendra Nath Ray be included in the Select Committee."

The Hon'ble Babu Mahendra Nath Ray said :—

"No, thanks, I do not want to serve."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"Then I would move that the Hon'ble Rai Mahendra Chandra Mitra Bahadur be included."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I think it is always a great danger to go into the personal question in a matter of this kind. All the other members of the Council will have ample opportunity to discuss the provisions of the Bill when the report of the Select Committee is submitted. Moreover, we have put in gentlemen in the Select Committee who have got special knowledge and concern with a measure of this kind, so far as it relates to trade and commerce. Then we have got Sir Nilratan Sarkar who takes great interest in such matters to advise us; we have also the Chairman of a mufassal municipality. I really, therefore, do not think that by the addition of any more names to the Select Committee we shall really attain any great object, and I therefore recommend the Council to accept the motion which I have just moved."

The President said :—

"Does the Hon'ble Member wish to move an amendment?"

Rai R. C. Pal Bahadur; Rai M. C. Mitra Bahadur; the President; Babu S. N. Ray; Babu A. C. Mazumdar.

The Hon'ble Rai Radha Charan Pal Bahadur said: "Yes, my Lord."

The President said: "Will the Hon'ble Member who is concerned tell us whether he is prepared to serve on the Committee or not?"

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said: "My Lord, I am much obliged for the amendment which has been moved, but I consider that my services will be of no use and I would not like to accept the offer."

The President said: "In view of the disinclination of the Hon'ble Member to serve on this Committee, does the Hon'ble Rai Radha Charan Pal Bahadur still desire to move his amendment?"

The Hon'ble Rai Radha Charan Pal Bahadur said: "My Lord, I have no other alternative but to give up my motion, when the two hon'ble gentlemen have been scared away by the Hon'ble Maharajadhiraja."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 10.

THE BENGAL PRIMARY EDUCATION BILL, 1919.

The Hon'ble Babu Surendra Nath Ray moved that the Report of the Select Committee on the Bengal Primary Education Bill, 1919, be taken into consideration.

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble Babu Surendra Nath Ray moved that the clauses of the Bill be considered for settlement in the form recommended by the Select Committee.

The motion was put and agreed to.

AMENDMENT No. 1.

The Hon'ble Babu Ambika Charan Mazumdar moved that for the word "rural" in line 2 of the long title and in line 3 of the preamble the word "other" be substituted.

He said:—

"My Lord, the amendment which I have to move refers to the preamble. I submit that for the word 'rural' the words 'other areas in Bengal' be substituted, because the word 'rural' might put us into some difficulty. The word 'rural' is often understood as opposed to 'urban'. We do not know yet whether we shall not have to introduce this Bill to urban areas also, because the distinction between 'urban' and 'rural' has not yet been decided. We do not know what the Reforms Committee will do in connection with municipal or non-municipal areas, so that by including 'rural' areas only we restrict the scope of this enactment, whereas by substituting the words I have suggested, we make the scope of the Bill wider."

The Hon'ble Babu Surendra Nath Ray said: "My Lord, I have pleasure in accepting this amendment."

The motion was put and agreed to

Babu S. N. Ray; Babu A. C. Mazumdar; Mr. O'Malley.

AMENDMENT No. 2.

The Hon'ble Babu Surendra Nath Ray moved that after the word "modifications" in line 3 of the proviso to sub-clause (*2*) of clause 1 the words "for the purposes of adaptation" be inserted.

He said :—

"My Lord, the reason why I move this amendment is that you cannot change the spirit of an Act. It must be merely for the purpose of extending the provisions of the Act, and for the purposes of such extension to make such purely formal alterations as may be necessary."

The motion was put and agreed to.

AMENDMENT No. 3.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the words "to any" in line 4 of the proviso to sub-clause (*2*) of clause 1 the words "other town or any" be inserted.

He said :—

"I would draw attention to the provision of clause 1, sub-clause (*2*), where it is said 'with such modifications as they may deem fit to any area in a union constituted under this Act'. But I would substitute the words 'other town or any' for the word 'to any', simply to bring in the very next stage in the development of primary education and make it more obligatory. First of all, we shall have the municipal towns, and then after that we shall have to deal with the subdivisional headquarters and other important centres where there are no municipalities, but which are all the same quite important urban areas. I should therefore like to have any other town, not simply a municipal town, but also any town municipal or non-municipal introduced, and that is why I propose this amendment. It follows exactly the line I proposed in the preamble."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment, and the reason is that there may be towns without any public bodies, and this Bill when it is passed will have to be worked by public bodies, so if there be any towns, without any public bodies, the Act will be neugatory."

The Hon'ble Mr. O'Malley said :—

"My Lord, on behalf of Government I beg to support the Hon'ble Member in charge. The object of the amendment is obviously to allow this Bill, when it becomes law, to be extended to places which are not under the Bengal Municipal Act or under the Bengal Local Self-Government Act. And if it is said that there are many places which are of an urban character, though they have no form of municipal law, then I venture to submit, Sir, that if a town is not advanced enough for local self-government it is not advanced enough for the system of education contemplated by this Bill. In such places, the Act would be unworkable without any public local organisation, such as a Union Committee or Municipal Board. It would be extremely difficult, for instance, to arrange for such bodies as school committees and it would be very hard to make the necessary adaptations in extending the Act."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"I wish to disabuse my hon'ble freind's mind. He is apprehensive that if we were to use the words 'any other town', there may be no public body or local authority to give effect to the provisions of this Act. What I mean is this. The Bill should be extended to any other town or area in a union constituted under this Act. My Lord, I shall be borne out by the Hon'ble Members to your right that many of these towns have been amalgamated and formed into unions. There are many subdivisions where there are no municipalities, but they are also united. Secondly, there would not be any want of proper authority to give effect to the provisions of the Act if the word 'town' is introduced. On the other hand, we shall be giving a very good opportunity for extending the provisions of the Act, or of introducing primary education on a larger scale simultaneously with such introduction within municipal areas."

The motion was then put and lost.

AMENDMENT No. 4.

The following motion stood in the name of the Hon'ble Babu Ambika Charan Mazumdar :—

"That after the figures '1885' in line 6 of the proviso to sub-clause (*2*) of clause 1 the words and figures 'or under the Bengal Village Self-Government Act, 1919,' be inserted."

He said :—

"My Lord, I ask permission to withdraw this amendment because the Village Self-Government Bill has been postponed and not yet been passed. If Your Excellency will permit me I will put it in this way—'or any other enactment to that effect', otherwise it may be dropped."

The President said :—

"I think the Hon'ble Member must necessarily withdraw the amendment in its present form because it refers to an Act which does not exist, and which, in view of what happened this morning, may never exist. It is out of order for the Hon'ble Member to move the amendment in this form, but if he alter the wording of the amendment, without altering it in substance, I am quite ready to accept that, and I am sure the Hon'ble Member in charge of the Bill will be ready to consider any proposal he wishes to make. If the Hon'ble Member will suggest other words for his amendment, I will consider it."

The Hon'ble Babu Ambika Charan Mazumdar said : "I think I had better withdraw the amendment altogether."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 5.

The Hon'ble Babu Ambika Charan Mazumdar moved that for the words "the School Committee for such school" in lines 4 and 5 of sub-clause (*1*) of clause 2 the words "the Commissioners, the Union Committee or the Union Board concerned" be substituted.

He said :—

"My Lord, my object is clear enough. I want to give some power to the Commissioners, to union boards and union committees, and not to leave everything to the school committee. It is very necessary that when you ask

the Commissioners to extend this Act and to impose a cess and so forth, they ought to have a word to say about the attendance of the boys and not leave everything to the Select Committee. Therefore I propose this amendment."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment because it is unnecessary, regard being had to the proviso of clause 1, sub-clause (*2*). This is covered by the proviso in the case of union committees and union boards What good would delegation of part of the function to the Commissioners do? It is the function of the School Committee."

The Hon'ble Mr. O'Malley said :—

"My Lord, I also beg to oppose the amendment on the same ground as has been mentioned by the Hon'ble Babu Surendra Nath Ray, namely, that the School Committee is in fact a better machinery for fixing the days and times in which schools will work than the Municipal Commissioners at a meeting. I also beg to state a second objection. The amendment as worded mentions the union board, whereas there is no such body in existence. It depends upon the Village Self-Government Bill and that has not yet become law."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"I think the Hon'ble Members are under a misapprehension. The word proposed to be left out stands part of the clause. I understand that was the sense of the Council."

The motion was then put and lost.

After lunch.

AMENDMENT No. 6.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the words "elementary education" in lines 1 and 2 of sub-clause (*6*) of clause 2 the following be inserted, namely :—

> "in reading, writing and arithmetic together with such elementary rules of hygiene, sanitation, agriculture and other industrial pursuits as are suited to local conditions and requirements".

He said :—

"My Lord, the object for the amendment of the definition of primary education is this. As the clause now stands, it is left entirely to the Education Department to lay down what the primary education should be. I want to indicate the line on which you want to impart primary education through the Education Department ; and therefore I propose that after the words 'elementary education' may be added not only reading, writing and arithmetic but also rules of hygiene, sanitation, agriculture, etc. My Lord, why primary education has not made much progress in this province by this time is, I think, because this education—purely literary education—has not been very attractive to the people for whom such education is primarily intended. People, particularly the cultivating and the labouring classes, ought to know that the primary education which we are going to impart will not be purely of a literary character but of such a nature as may help their children in their ordinary avocations of life. Of course, it may be said that

the Education Department will do so, but, my Lord, the Education Department have not up to this time done anything of that nature. I want to give the little boys some training in elementary rules of agriculture, hygiene, etc., and I therefore wish to indicate by this definition to the Education Department the line on which they should proceed. By the inclusion of my amendment, the Act itself will prove an attraction to the labouring and agricultural classes to send their boys to schools more readily than they are disposed to do at present."

The Hon'ble Raja Hrishikesh Laha said :—

"My Lord, I have a similar motion standing in my name. If my hon'ble friend accepts the insertion of the words 'civic and manual training' I shall be glad to support his motion.

My reason is that exclusive instruction in reading writing, and arithmetic will, I am afraid, render a boy unfit for the work of their parents and guardians and they very probably will look down upon it with contempt. In the words of the Resolution on Indian Educational Policy as issued by the Governor General in Council on the 11th March, 1904. 'the aims of the rural schools should be not to impart definite agricultural teaching, but to give to children a preliminary training which will make them intelligent cultivators, will train them to be observers, thinkers and experimenters in however humble a manner, and will protect them in their business transactions with the landlords to whom they pay rent and the grain dealers to whom they dispose of their crops' The policy laid down here should be a proper guide for imparting primary education to children with a view to make them useful members of their family and of society when they shall be called upon to perform the practical duties of life. My Hon'ble friend, Mr. Cumming, from his place in Council, in reply to a resolution, expressed an opposite opinion to the declared policy of the Government of India by stating that 'the attempt to teach agriculture in primary schools should be definitely abandoned' as 'the obvious difficulty lies in the provisions of suitable teachers' (see *Calcutta Gazette*, 6th February, 1918, page 210). This difficulty may no doubt at the present moment be great, but not insuperable; but as Government is in full sympathy with the education of the boys of the cultivating class, this difficulty should not stand in the way of what I consider to be an obvious duty of the Government. And the undertaking of such duty by the State, I presume, has been foreshadowed by the august authors of the report on Indian Constitutional Reforms. They say in paragraph 185 that 'the spread of education among the lower classes is also attended by peculiar difficulties. India is a predominantly agricultural country, and an agricultural population is always and everywhere suspicious of the effect of education upon rural children. Here again is the need—a need realised equally in Europe and America—of making rural education more practical, and ensuring that the school shall make the average boy who does not aspire to university education a more practical farmer instead of transforming him into an indifferent clerk.' It is simply a question of time, and if Government is bent upon it, trained teachers would become available within a reasonable period. What I have said regarding agriculture would apply *mutatis mutandis* to other subjects which are necessary for the education of the masses. Hitherto the primary schools have not been attractive, as the instructions given in them are too theoretical and have no reference to the condition of employment and livelihood of the people. Indeed it is the total divorce of education from the needs and possibilities of the life of the masses that has made education unpopular and barren and the same evils will become more intense and widespread if the present system continues to lay emphasis on an over-literary education,—what is wanted, is practical education. Instructions

Babu A. C. Mazumdar ; Raja Hrishikesh Laha ; The President ; Mr. Arden-Wood.

in handicrafts and agriculture should go hand in hand with vocational guidance which would secure a better preparation for life's occupation and avoid aimless drifting of the choice of unsuitable employments. I would like also that a course of civics embodying imperial ideas should form a permanent curriculum in our school. They are sure to help our youths to render themselves better citizens and I need hardly remind this Council that the study of civics in elementary schools has worked most satisfactorily in Japan, United States, etc. Let us take an example out of their books."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I beg to enquire where my freind wants to introduce these words."

The Hon'ble Raja Hrishikesh Laha said :—

"After the word 'agriculture.'"

The Hon'ble Babu Ambika Charan Mazumdar said :—

"I have no objection."

The President said :—

"Might I suggest that if the Hon'ble Babu Ambika Charan Mazumdar is prepared to accept the inclusion of the words 'civic and manual training' after the word 'agriculture' he should move the deletion of the words 'rules of' and insert 'instruction in' in their place, as it would read better."

The Hon'ble Babu Ambica Charan Mazumdar said :—

"I have no objection, my Lord."

The Hon'ble Mr. W. H. H. Arden-Wood said :—

"My Lord, I am very anxious that the nature of primary education should not be too specifically laid down in clause 2 of the Bill, because I feel very strongly that the most important thing of all is the character of the education that is to be given under the denomination of elementary education, if it is to be really effective in the way we want. I do not think that we know at present either in England or in India what the best form—certainly not what the final form—of elementary education will prove to be.

Now I notice that there is a good deal of apprehension expressed in the criticisms upon the Bill, lest this new elementary education should be too literary—too much the same kind of education as that now being given in existing schools of higher grade, so that it would be possible to regard the higher form of education as a continuation of it : so that this elementary education might come to be regarded as preparatory to another grade of education, instead of being self-contained—a thing of itself, which is really what we want it to be. It is thought, not I understand without reason, that a good deal of what is now given as primary education has an unsettling effect, making its recipients discontented with the ways of life that their fathers follow, and tending to make them swell the number of those who do not want to work on the land. I submit that it would be disastrous to do anything to increase that tendency. Therefore we must be particularly careful what kind of education the new elementary education is. We are really confronted with a very great problem. I think the future welfare and happiness of India

will very largely depend upon the solution of it. There can be no doubt that one of the things that has to be faced in the future is the problem of increasing the material welfare of the masses of the people. This is a crowded country, and it is in consequence even more true here than elsewhere that that man is a great benefactor who makes two blades of grass grow where only one grew before or, what comes to the same thing, makes the soil produce what is of twice the value. India, we hope, has a considerable industrial future before it, but for all that agriculture must remain all important, and therefore the education given to the agricultural classes should be such as to fit them to get more out of the land rather than to drive them away from it. This means that their education should have the effect of making them interested in the processes of agriculture by making them capable of understanding them better, and of practising them with intelligence. We want them to adopt improved methods in place of their ancestral methods. Now I venture to think that we shall not succeed in doing this by prescribing such special courses in hygiene, civics, agriculture, etc., as are advocated in the two motions before us. I really feel tempted to ask the Hon'ble Members if they really know what boys of six to ten are—what mere children they are. What we really want to do in the very short time available, in addition to giving them such instruction in the 'three R's' as will develop their general intelligence and enable them to protect their own interests, is to alter their mentality in a way that will persist after they leave school, and that will not be attained, I submit, by such a course as is here proposed. It seems to me that we want something to develop such a sense of necessary causal connexion among familiar natural phenomena as will prepare the ground for profitable vocational instruction at a later stage—I should say something of the kind we call nature study. But I hesitate even to say that, because here again so much depends upon how a subject is taught, and that raises the old problem of getting proper teachers, which is one of the problems that this Bill has to solve. If it is to be a success, we have to solve the problem of getting proper teachers. I trust, therefore, that the Council will not accept these two motions. This Bill is very largely experimental, and we have got to give those who are concerned with the administration of it as free a hand as possible."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment. Unless the Education Department chooses to include all these subjects, how can the curriculum suggested by my hon'ble friends be given effect to? The Bill leaves the programme of primary education to be developed according to the wishes of the Education Department alone. Then, the curriculum ought to be different in different localities. How can you teach practical agriculture or agriculture in any shape in the town of Calcutta, because the Bill extends also to the town of Calcutta? Then, as my hon'ble friend Mr. Arden-Wood has said, a boy of ten is a mere child, and how can you give instructions in all these subjects—in civics, in manual training and sanitation in a primary school? So we ought to leave these subjects entirely to the Education Department; they are the best authority on these points and we ought not to interfere."

The Hon'ble Mr. O'Malley said :—

"My Lord, speaking on behalf of the Education Department, I am afraid that I cannot advise the Council to accept this amendment. The reasons are two, and they have already been mentioned by the previous speakers. In the first place, the interpretation of elementary education and its curriculum must vary from time to time. A Bill like this is not a place for

a definition of education, which should not be stereotyped by legislative enactment. The section, as drafted, gives some latitude and permits of variation to meet the development of ideas about education and its objects, and education is a subject about which ideas are constantly developing. The second reason is that the subjects proposed are in some respects too advanced for the minds of small children ; and those who have children themselves must admit that it is not altogether desirable that young minds should be overloaded."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I have already said that I accept the small verbal amendment proposed by the Hon'ble Raja Hrishikesh Laha, so that my amendment with Your Excellency's suggestion will read thus :

> 'in reading, writing and arithmetic together with such elementary instruction in hygiene, santitation, agriculture, civics, manual training and other industrial pursuits as is suited to local conditions and requirements.'

The Hon'ble Mr. Arden-Wood, though in full sympathy with the object of this amendment, thinks that the age of boys being fixed at ten, they will be mere children and that it will be impossible to teach them these subjects. With reference to that remark I would simply say that by this amendment I do not mean to suggest that rules of hygiene and higher sanitation should be taught to them ; but I do not think it will be at all difficult to satisfy the requirements of this amendment by simply teaching a boy of ten that he ought to have dirty water boiled before using it for drinking purposes or to tell him that he ought to remain neat and clean. These are the ordinary elementary rules which should be imparted to them. I do not suppose that a boy of ten in this country will be found wanting in appreciating such lessons.

Then as regards agriculture and other manual training, I may inform the Council that at the age of ten the boys or children, as you would call them, of labourers, artisans and agriculturists do assist their fathers in tilling the soil, in helping in the work of carpenters and they would easily understand these lessons ; but if you keep it still confined to literary education, I am afraid you will find that the primary education which you seek to give to these children will be very very problematical and the result will be very doubtful. I have therefore entered these amended words for elementary rules. My Hon'ble friend, the Member in charge, has taken the safest position of leaving everything to the Education Department and he seems to think—'let the responsibility rest on their shoulders—we have nothing to do with it'. I am not going to endorse a view like that. I do not want to take away from the hands of the Education Department any power which they possess for the purpose of fixing the curriculum or regulating the studies, but we want to indicate the line in which the Education Department ought to move. It has not moved on that line for the last 20 years : and my earnest request to the Hon'ble Members present is—let them by this enactment make it attractive ; let the people understand that this education which is meant to be given to them is of an useful character. If we are to leave everything to the Education Department, I do not think it is necessary at all to do anything more than to say that the people will pay an education cess and the Education Department will prescribe the course. For the purpose of spreading primary education we should indicate the proper line and let them give elementary lessons in sanitation and so forth along that line.

Then, my Hon'ble friend has started a serious objection and has asked how this could be done in Calcutta, but Calcutta is not the whole world. I may point out that I have guarded myself against such a contention by saying

'suited to local conditions and requirements': there the Education Department will be able to suggest modification for Calcutta. As this Bill will be for Calcutta and the outlying districts, I do not understand why this simple amendment has been opposed. In fact, I am perfectly certain that unless we declare what sort of education we are going to give to children, we will fail altogether. It is not simply my view, but in the voluminous report I find that many district officers and other important persons have also suggested that there should be some sort of education which might be useful to the people for whom it is intended."

The motion was then put in the following amended form :—

"That after the words 'elementary education' in lines 1 and 2 of sub-clause (*b*) of clause (*2*) the following be inserted, namely :—

'in reading, writing and arithmetic together with such elementary instruction in hygiene, sanitation, agriculture, civics, manual training and other industrial pursuits as is suited to local conditions and requirements.'"

A division was then taken with the following result :—

Ayes—12.

The Hon'ble	Raja Hrishikesh Laha, C.I.E.
„ „	Kumar Shib Shekhareswar Ray.
„ „	Babu Brajendra Kishor Ray Chaudhuri.
„ „	Mr. Arun Chandra Singha.
„ „	Rai Debendra Chunder Ghose Bahadur.
„ „	Rai Radha Charan Pal Bahadur.
„ „	Mr. H. R. A. Irwin, C.I.E.
„ „	Rai Sri Nath Ray Bahadur.
„ „	Babu Akhil Chandra Datta.
„ „	Rai Mahendra Chandra Mitra Bahadur.
„ „	Babu Kishori Mohan Chaudhuri.
„ „	Babu Ambica Charan Mazumdar.

Noes—24.

The Hon'ble	Sir Henry Wheeler, K.C.I.E., C.S.I.
„ „	Mr. J. G. Cumming, C.S.I., C.I.E.
„ „	Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
„ „	Mr. J. H. Kerr, C.S.I., C.I.E.
„ „	„ C. J. Stevenson-Moore, C.V.O.
„ „	Major-General W. H. B. Robinson, C.B., I.M.S.
„ „	Mr. J. Donald, C.I.E.
„ „	„ L. S. S. O'Malley, C.I.E.
„ „	„ M. C. McAlpin.
„ „	„ F. A. A. Cowley.
„ „	„ C. H. Bompas, C.S.I.
„ „	„ W. C. Wordsworth.
„ „	„ S. G. Hart.
„ „	Sir Rajendra Nath Mookerjee, K.C.I.E.
„ „	Sir Nilratan Sarkar, KT.
„ „	Mr. W. H. H. Arden-Wood, C.I.E.
„ „	„ Aminur Rahman.
„ „	Babu Siv Narayan Mukherji.
„ „	Mr. W. H. Phelps.
„ „	„ G. A. Bayley.
„ „	Maulvi Abul Kasem.
„ „	„ A. K. Fazl-ul-Huq.
„ „	Khan Sahib Aman Ali.
„ „	Babu Surendra Nath Ray.

The Hon'ble Mr. Provash Chunder Mitter, C.I.E., abstained from voting.

Raja Hrishikesh Laha ; Babu K. M. Chaudhuri.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
" " C. F. Payne.
" Rai Priya Nath Mukharji Bahadur, I.S.O.
" The Nawab Bahadur of Murshidabad.
" Mr. J. Mackenzie, O.B.E.
" " L. V. N. Meares.
" Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" Mr. F. W. Carter, C.I.E., C.B.E.
" " W. E. Crum, O.B.E.
" Dr. Abdulla-al-Mamun Suhrawardy.
" Mr. M. Ashraf Ali Khan Chaudhuri.
" Babu Bhabendra Chandra Ray.
" Mr. Altaf Ali.
" Babu Mahendra Nath Ray, C.I.E.
" Mr. K. B. Dutt.

The Ayes being 12 and the Noes 24, the motion was lost.

AMENDMENT No. 7.

Amendment No. 6 being lost the following motion which stood in the name of the Hon'ble Raja Hrishikesh Laha was deemed to have been withdrawn :—

"That at the end of sub-clause (*6*) of clause 2 the following be added, namely :—

'including vocational guidance, elementary instruction in civics, agriculture, manual training and sanitation.'"

AMENDMENT No. 8.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the word "children" in line 1 of sub-clause (*a*) (*i*) of clause 2A the word "girls" be substituted.

He said :—

"My Lord, by this amendment I propose to substitute the word 'girls' in place of 'children' in clause 2(1)(*i*) of section 2A. As the Act is intended to provide first for voluntary education and if it is successful, then only to think of compulsory education, and as we have to provide for education of the boys to be made compulsory up to the age of 10, why should it be children, I mean both boys and girls? In arranging for voluntary education in the first instance I, therefore, think that as in the next clause it is provided that necessary enquiries should be made for the boys only, so in this clause also if we are to enquire into the requirements for the girls only, that will serve the purpose. The difficulty which I feel in moving this amendment is that there is in section 21B that whatever cess may be imposed may be spent for voluntary or compulsory education, so if a larger sum is spent for making provision for voluntary education it will be very difficult to make provision for funds for the compulsory purpose. If we are satisfied with making arrangements for compulsory education for boys up to the age of 10, why should we be anxious

for making arrangements for voluntary education for boys up to the age of 11, I really fail to understand, and that may stand in our way of successfully dealing with the provisions of the Act. The cess, whatever cess we may impose, should not be very excessive, and if a greater portion is spent for persons for whom compulsory education is not provided, we may be satisfied with making provision in that case for the girls only. There is another amendment which I will deal with hereafter, but in this amendment, I move for the word 'girls' in place of 'children.'"

The Hon'ble Babu Surendra Nath Ray said :

"My Lord, I am sorry I cannot accept this amendment of my Hon'ble friend. The effect of this amendment would be to make the scheme of voluntary private education applicable only in the case of girls between the ages of 6 to 10, so that if provision is made for the education of girls between 6 and 10 who are willing to attend primary schools voluntarily, a municipality would be entitled to make primary education compulsory in the case of boys between 6 and 10 under Part III. This supposes that there would be compulsory education for boys as soon as voluntary education for girls is provided. It does not provide for primary education for boys on a voluntary basis. There would be no obligation to provide for compulsory education under the voluntary system in the case of boys. Many municipalities may not for some time to come take advantage of Part III of the Bill. In that case there would be no impetus to primary education for boys. The effect of the acceptance of the amendment would be practically to exclude boys, which was never the intention of any one who has the extension of primary education in the country at heart, and for which object this Bill has been introduced."

The Hon'ble Mr. Wordsworth said :

"My Lord, on behalf of Government I have to recommend the Council to accept the point of view of the Hon'ble Member in charge of the Bill, and not to support the amendment. The Bill aims first at the development of all the possibilities of a voluntary system of education, and secondly at the application of compulsion to a certain limited number of boys. It is reasonable that the number of children proposed to be affected under the voluntary system, should be larger than that proposed to be affected under the compulsory system, and the Select Committee in modifying the Bill deliberately proposed that it should be regarded as the duty of a Municipality adopting the Bill to provide voluntary education for all boys and girls up to the age of 11 before they proceed further. Having done that, they may proceed to apply compulsion to all boys between 6 and 10 not yet affected by the provisions of the Bill. The amendment appears to be based on a misunderstanding of the situation, and I would call the attention of the members of the Council to paragraph 4 of the report of the Select Committee. I think that puts the matter clearly, and indicates why Government is unable to accept the amendment."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am sorry that my amendment was not made clear to the Hon'ble Member in charge of the Bill. By clause 2A it is provided that a statement should be prepared showing the number of children not being less than six or more than eleven years of age, and the number of boys up to ten years of age, so by substituting the word 'girls' for 'children' it is not proposed that the case of the boys should be excluded altogether. The only difference is, as I have explained, that we should be concerned

Babu K. M. Chaudhuri; Babu S. N. Ray; Mr. Wordsworth.

with the boys up to the age of ten in every case not only for voluntary education, but also for compulsory education, otherwise it may be that whatever cess may be imposed according to the circumstances of the municipality of the locality, the greater portion or the entire portion will be spent for making provision for voluntary education. To avoid that difficulty, we are making provision for compulsory education up to the age of ten in the case of boys, and similar provision should be made in the case of girls too. There will be no exclusion in the case of boys under clause 2A. There is a provision for the preparation of a statement for boys as well, Of course I have read paragraph 4 of the report of the Select Committee. There it is stated that voluntary education will be provided first up to the age of ten. There are of course various objections to it, and I say it should not be done. In that view I still hope that my amendment should be accepted.

The motion was then put and lost.

AMENDMENT No. 9.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the words "eleven years" in line 2 of sub-clause (*a*) (*i*) of clause 2A the words "ten years" be substituted.

He said :—

"This motion, as I have already explained, is for voluntary education. We should make provision for boys up to the age of ten years and not eleven years. The same arrangement should be made for voluntary education as well as for compulsory education. That is all I propose by this amendment ; it is not necessary to speak in detail."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord. I am sorry to have to oppose this amendment. My Hon'ble friend has already referred to the report of the Select Committee, and we have raised the age from ten to eleven years in the case of education on the voluntary basis, and the reasons given by the Select Committee are as follows: "Compulsion is to apply to all boys between the ages of six and ten and to them only, whereas the obligations under Part II of the Bill have relation to both boys and girls between the ages of six and eleven. Briefly the effect of the Bill will be to ensure proper provision in the first place for the primary education of all children between six and eleven desirous of attending schools under the voluntary system, and subsequently if and when due provision has been made for their education under the voluntary system for the primary education of all boys between six and ten under the compulsory system." We accepted this recommendation of the Select Committee, and I therefore cannot accept the amendment of my Hon'ble friend."

The Hon'ble Mr. Wordsworth said :—

"My Lord, on behalf of Government I beg to support the Hon'ble Member in charge of the Bill. It was the feeling of the Select Committee, and Government concurred with it, that municipalities may reasonably be called upon to provide education for all boys and girls who wish it, between the ages of six and eleven, before they proceed to apply the principle of compulsion between the ages of six and ten. For this reason, the acceptance of this amendment would be a serious and unacceptable modification of the principles of the Bill."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"I have already stated my reasons; I do not think it is necessary to say anything more. If it is not the pleasure of the House to accept the amendment, I have nothing more to say."

The motion was then put and lost.

AMENDMENT No. 10.

The following motion which stood in the name of Babu Kishori Mohan Chaudhuri was, by leave of the President, withdrawn :—

If motion No. 8 be carried, also to move that for the word "children" in line 1 of sub-clause (*c*) (*i*) of clause 2A the word "girls" be substituted.

AMENDMENT No. 11.

The Hon'ble Rai Radha Charan Pal Bahadur moved that the words "including the receipts from any education cess under clause 21B" in lines 2 and 3 of sub-clause (*f*) of clause 2A be omitted.

He said :—

"The Bill has undergone a remarkable transformation in Select Committee. The Bill as introduced by my hon'ble friend took power to introduce an education cess with the consent of the municipality concerned, such consent being given by a majority of not less than two-thirds of the Commissioners for the purpose of the imposition of an education cess, in addition to such other receipts, including Government assessment, which the municipality may receive. So it was originally quite optional on the part of the municipality to impose an education cess, and there was such a safeguard as a two-third majority. Reading the collection of opinions which we have received we find that not an inconsiderable number of municipalities have suggested that the number should be increased to three-fourths, and not a few of them have opposed the education cess. Now, my Lord, in Part II of this Bill, the heading is 'Voluntary primary education.' In this clause it will be found that in the statement to be furnished to the Local Government the amount of income and receipts already available as well as the income from any education cess under Section 21B which may become available to meet such expenses should be shown. Now, my Lord, there was a condition precedent in the original Bill that it should be compulsory primary education, and it was furthermore compulsory free primary education. That is now all deleted, and we are offered compulsory or voluntary education and it appears that an education cess is required to be levied upon the ratepayers of the municipalities concerned. Now, my Lord, having regard to the consensus of opinion expressed on this Bill, I think that this should be omitted, and unless it is so omitted, it will defeat the very object of the Bill. As regards voluntary education, I think the Government and the municipalities concerned with their existing resources should be able to carry on the work as best they can. If they are unable to do so, I think the Government ought to come forward and assist them. But if they choose to have compulsory education, they will certainly have to impose an education cess to which I believe the Council has, in a manner, agreed, and therefore I think that this clause ought to be modified by deleting the words which I have moved to be deleted from sub-clause (*f*) of clause 2A. Further, I may point out that in the Punjab, in Assam and the Central Provinces and other

places, it is not enacted in the Bills that they have passed that an education cess shall be levied by the municipalities concerned for the purposes of carrying out voluntary education. I believe, my Lord, I am correct. Although I have not got the papers before me now, I am quoting the substance and I also believe that your Government is prepared to make substantial contribution for the promotion of primary education in Bengal. Looking at the figures which have been published, I find that the Government spends in Bengal Rs. 2,29,000, with a population of 23 millions. Bombay with a population of 10 millions, spends 30 lakhs and Madras spends a little over 17 lakhs. It will be seen, therefore, that the Government contribution to primary education in Bengal is certainly, I would not say niggardly, but certainly very, very small, and I think Your Excellency's Government is sincerely anxious that this Bill should be welcomed by the people, and that definite steps should be taken for the promotion of primary education in Bengal; therefore, I think that this clause should be modified by deleting the lines which I have indicated."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I am sorry I have to oppose my Hon'ble friend Rai Radha Charan Pal. My friend's motion really ought to be taken as a part of the motion which is tabled as item No. 34 where, with regard to clause 21B, my friend says, in effect, that there should not be any education cess so long as the voluntary system is in existence. But if my Hon'ble friend will turn to clause 21B he will see that what is proposed there is that if the existing resources of the municipality including any grant from the Government are not sufficient to cover the expenses, the Commissioners may, with the previous sanction of the local Government, impose a tax called the education cess. My friend's motion seems to be that so long as education is carried on on the voluntary basis, there ought not to be any education cess. With that I emphatically disagree, but at the same time I say that it is as much the duty of the municipality as of the Government, so far as resources are available to help the cause of primary education. This is amply provided for in section 21B. It is only when the resources of the municipality and the Government are not enough, it is then only that power is given to the municipality to raise money by an education cess. Now, if the power be not reserved to the municipality then the whole scheme of the Bill will be rendered nugatory; as I understand the idea underlying the Bill is this: try to do your best under the voluntary system, and it will then be time to come to Part III. Now, if you do your best to promote the voluntary system it must be admitted that it will be possible to educate more boys. Over and above municipal funds and Government grants, more funds may be necessary. There is however one matter which I should like to mention in this connection, and that is about the contribution of the Government. I drew the attention of the Council to that point some time ago. I do not think it will be out of place if I again refer to it. In Bengal in the year 1916-17, it may be 1915-16, I speak subject to correction, altogether about Rs. 37,40,000 were spent on primary education, out of which only about Rs. 2,21,000 was spent directly from provincial revenues. Thirteen lakhs and 15,000 were contributed by district and local funds, and only Rs. 66,087 were contributed by municipal funds, Rs. 17,56,000 were contributed from the Moshin fund and fees, and two lakhs in all were contributed by private individuals, from private sources, so that out of a total expenditure of about 37 lakhs, the direct contribution from Government from provincial revenues was only about Rs. 2,21,000. In Bombay out of a total expenditure of 54 lakhs, 30 lakhs were contributed from provincial revenues. The district board and local boards contributed six lakhs as against our 13 lakhs. Municipal funds there contributed Rs. 7,81,000 as against our Rs. 66,000 and odd, and the reason is obvious, because in Bombay there are rich mufassal municipalities full of industrial enterprises. Now, as regards fees, we contribute Rs. 17,95,000 as against Bombay's Rs. 4,42,000 and from private

sources the contribution in Bombay is Rs. 4,87,000 as against our 3 lakhs in all. We find that the contribution of the district boards in fees and by private individuals is far more satisfactory than what it is in Bombay, and that the direct contribution from provincial revenues is far less than what it is in Bombay. But I ought to point out in all fairness to the Government that the contribution of 15 lakhs and odd from the district boards is largely lent by the Government. But my point is that it may have been difficult in war times to find more money for primary education so far as Provincial revenues are concerned, but it ought to be possible, at any rate, I hope it will be possible in the future, to spend more from Provincial revenues, and from what Your Excellency and the Government have said in the past, I have every expectation that my hope will be realised. As clause 21B provides for Government contribution and also income from the municipalities, and it is only when such income is insufficient that the municipalities will be allowed to impose an education cess, there are ample safeguards, therefore I am of opinion that the clause as provided ought to stand."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I think I ought to accept this amendment. The Bill as introduced contemplates an education cess only when primary education has been made compulsory and made the imposition of such a cess a concomitant of making primary education entirely free. It appears to be quite reasonable that the second condition, namely, of making primary education free as a condition of the imposition of an education cess, should not be insisted upon. But the amended Bill permits an education cess to be imposed for the purpose of financing primary education even on a voluntary basis.

The statement to be submitted to Government under clause 2A, sub-clause (*f*), will comprise an estimate of receipts already available and other probable income, including receipts from any education cess. After this statement is submitted, Government will determine the amount of financial assistance to be given by them for enabling the Commissioners to provide for an extension of primary education on a voluntary basis under Part II. There is therefore some ground of apprehension that Government may not be willing to make any adequate contribution unless the Commissioners are ready and willing to impose an education cess. Education cess in that event becomes the rule, and may be made *in practice* a condition precedent to Government aid. The Government may not have any such idea but the Bill leads itself to such construction in the public mind.

Education cess should not be thought of, except as an optional concomitant to the introduction of compulsion. Such a cess may not be imposed even if primary education is made compulsory by a certain municipality, but it should never be capable of imposition unless such education is made compulsory. This seems to be in accord with public opinion. The capacity of our people for paying taxes is limited and no fresh impost can be justified except in very special circumstances—compulsory primary education may be considered to be such justifying circumstances by certain municipalities, it may not be considered in that light by others. A perusal of the opinions of the municipalities on this Bill will convince anyone that an education cess will be quite unpopular and in certain cases unbearable to the people.

Mr. Blackwood, the District Magistrate of Bakarganj, says :—

'The problem is mainly one of expense, and it will be observed that while all the opinions given are in favour of the Bill, a number express the hope that Government will contribute such a sum as will render the imposition of an education cess unnecessary.'

Babu A. C. Mazumdar.

The District Magistrate of Burdwan says :—

'In my opinion the question of cost precludes the introduction of such a measure at present. Municipalities are at present unwilling to spend enough money on essential services, such as roads, water-supply and sanitation, and it would be unwise to saddle them with a heavy additional burden.'

The Chairman of the Noakhali Municipality says :—

'None of the Commissioners raised any objection to the Bill to be legislated for the extension of the primary education in all municipalities in Bengal. But the necessary expenditure which will be incurred on this account will hardly be met with from the insufficient fund of this municipality. Most of the ratepayers of this municipality are very poor, and this will be a heavy burden on them if the education cess as laid down in the Bill is imposed on them for the purpose. In such a case, contribution from Government will essentially be necessary to give effect to the Bill, if passed.'

The Chairman of the Midnapore Municipality says :—

'This Municipality, however, earnestly hopes that the State will, as soon as normal conditions are restored after the conclusion of a general European peace, continue to bear the entire cost of giving primary education to the people of this country or at any rate bear a major portion of it.'

There are other municipalities and public bodies which have given expression to similar views.

It must be remembered that these opinions are based on the Bill as it originally stood, which contemplated an education cess only after the introduction of compulsion and as making primary education free. How much more unpopular will the present provision be which permits such a cess even without the introduction of compulsion. If the provision is retained in its present shape, the inclination of the muncipalities will be to give the measure a wide berth. The Bill as amended invests Government with authority to exercise some sort of compulsion on municipalities in the circumstances set down in clause 2B for the purpose of expanding education on a voluntary basis. But it is to be doubted whether Government can compel any municipality to take advantage of the Bill if it means the imposition of an education cess which the municipality may be unwilling to impose.

Government must be prepared to make liberal contribution, and at the same time relax the high standard they have set up for buildings and equipment of the primary schools. And education cess should be excluded from calculation while considering the question of expansion of education on a voluntary basis under Part II."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, when the Bill was originally published it received a hearty welcome from the people. But I may say now that since the Bill has emerged in this form out of the Select Committee, there is a considerable volume of opinion opposed to this measure, and the reason is simply this : that a cess is going to be imposed even when education is voluntary. If it is to be compulsory, the people are prepared to make a sacrifice, but if it is to be voluntary and they have to pay a cess, I would like to know, as many people whom I have consulted are desirous of knowing, if there is any country or province where education cess is imposed when education is carried on only on a voluntary system. As far as I am aware this is a novel

provision. We shall have elementary education on a voluntary basis and at the same time pay a tax for the same. I do not know how many municipalities will be encouraged under these provisions to come forward to introduce this measure within their jurisdiction, and there could not be a surer way of making this Bill, if not altogether a dead-letter, I say almost an unqualified failure than to provide an education cess even on a voluntary basis."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, having been connected with many municipalities and having had charge of many primary schools, I venture to offer a few observations in support of the amendment that has been made by my Hon'ble friend. I may here also add that I have had the opportunity to discuss this subject with responsible people who can advise on the subject. My Lord, the municipalities will not welcome such an education cess on a voluntary basis and neither in my humble opinion is it proper that education cess should be given on a voluntary basis. Before the Bill was talked of the *gurumahasyas* used to get their wages in the shape of mangoes and other gifts which the students distributed to them. The people were not in a position to pay them adequately till we find from the history of education that Government took up the question in right earnest. The result is that there are various complaints in many quarters as to the proposed imposition of an education cess on a voluntary basis. The question is quite different if compulsory education is imparted, but, my Lord, I venture again to submit to Your Excellency and to the Council that the proposition will be considered very hard if such an imposition of education cess is to be made when education will be given on a voluntary basis. My Lord, I do heartily support the amendment which has been made by my Hon'ble friend".

The Hon'ble Sir Nilratan Sarkar said :—

"My Lord, I would not like to give a silent vote in connection with this resolution. I am, I might be excused for mentioning, unconnected with any municipality except as a tax-payer. We have heard what the opinion of most of the municipalities would be because we have so many representatives of municipalities on this Council. But I am afraid the municipalities have a duty to do in this connection. Much has been made of the idea that the proposal is one for the spread of education on a voluntary basis. I suppose none present here thinks that it should be voluntary for any of the municipalities to impart or not to impart education to the children living within its jurisdiction. By the word 'voluntary' as used there, I understand voluntary on the part of the parents of the children. But suppose in this city of Calcutta we find after ascertaining the facts carefully that there are one lakh of children who would come forward voluntarily to place themselves under tuition. Now, how are we to train them? Are we expected to make bricks without straw? How much can we expect from Government? Government can spend a large sum, but the question of primary education can be solved from the financial point of view only after spending a much larger sum. Do we expect that the Government from the public exchequer should bear the whole cost of primary education. And even if they are disposed to do so, how should they manage the other departments? Then there is the other question. There are the local bodies, the students and their guardians. Do we expect a very large sum from the guardians of these students of the lower classes, or a very large contribution from the local bodies? My Hon'ble friend Mr. Mitter has already given us an idea of how the sum of 38 lakhs in Bengal is made up. I do not think that if the present

system is allowed to continue, the sum could be stretched to a much larger figure—it might come up to 40 or 50 lakhs in five or ten years. Then, what is the use of this Bill? If we are not prepared to vote for a cess, directly the Bill would be useless, or indirectly, the money must come from the people. If Government has to pay, Government has to collect that in the shape of taxation or in some other shape. Why not do it directly? I do not say that much importance can be attached to the matter of spreading education on a voluntary basis. This, of course, will only make the way smooth. Compulsory education was the thing aimed at in the original Bill; but the Select Committee found that to be an impossibility in the present conditions, especially on financial grounds. If we could have a very large sum at present we should certainly adopt education on a compulsory basis at once. Of course, by introducing it on a voluntary basis, we considerably reduce the number of students who are likely to join schools; but, on the other hand, we gradually train ourselves to defray the educational expenses of our children. By taking up the lighter burden first and gradually taking up the heavier burden we can in course of time meet the difficulties and solve the problem. If we want primary education, which is not a luxury but a necessity, which we must have, we must spend our money for it, and the municipalities must agree to introduce cesses in their jurisdiction, and other local bodies must also try to raise funds from local sources: otherwise, it would be just as well to give up the measures."

The Hon'ble Mr. Wordsworth said:—

"My Lord, I am unable, on behalf of Government, to advise the Council to accept this amendment. It is, in my opinion, the most important amendment on the paper and it cuts at one of the fundamental principles, if not the most important principle, of the Bill. As the Bill was originally introduced in Council a cess was made a concomitant only of free and compulsory education. This aspect of the Bill was considered at great length and with great care in the Select Committee. The opinions which had been received on the Bill, including those quoted to us by the Hon'ble Member in charge of the Bill, were then carefully considered; and the Bill, as now amended, was finally decided on without a dissentient voice by the Select Committee. The Hon'ble Member who has moved the amendment and the Hon'ble Member in charge of the Bill were members of the Select Committee; and they have signed the report of the Select Committee and accepted the new principle without a word of dissent, and the Hon'ble Member who has moved the amendment has not clearly explained the reasons for his change of front. The view of the Select Committee—and this is the view that commends itself to Government—was that the inclination of the people towards education should be fully utilised before municipalities were allowed to have recourse to the principle of compulsion. Compulsion in education is new to Bengal: it might prove in practice to be an unwelcome principle, and we think that any advance against opposition should be guarded against by utilising the wishes of the people as fully as possible before recourse was had to it. It was therefore felt to be fitting that the Municipal Commissioners should be given every facility for developing education on a voluntary basis. These facilities included facilities for increased resources. I am afraid that it has been suggested to the Council, or if not suggested, I am afraid some members of Council may have assumed, that the imposition of this cess is an obligation provided for by the Bill. If they will refer to the clause in question, they will find that the cess may be imposed at the instance of the Commissioners. The imposition of the cess is therefore an optional matter: presumably no cess would be imposed unless local opinion was reasonably favourable to its imposition. The Hon'ble Member's motion would limit the facilities offered to the Commissioners for the development of education within their areas. The imposition of a cess would be in

itself a definite act, but this act would be the culmination of a long process of development, and the act itself might reasonably be regarded as a part of that process of development, since its consequences would be inseparably merged in all the consequences of that continued development. It is not to be supposed that if compulsion were applied to any area, there would be separate schools established for the benefit of boys brought to school under that act of compulsion. When the Bill is fully adopted in any municipality, there will be three kinds of children at school. There will be all boys between the ages of six and ten, who must go to school: there will be all boys between the ages of ten and eleven who may wish to go to school; and there will be all girls between six and ten who may wish to go to school. There may be other classes of boys and girls of other ages, for the Bill does not limit the powers of the Municipal Commissioners in that respect. But these three classes of children will not be provided for in separate classes of schools. The Municipal Commissioners will naturally consult the question of finance, of organization, and of economy, and children brought to school under the act of compulsion will presumably be distributed amongst the schools that already exist under the voluntary system. It is not clear, therefore, how and with what justice the Commissioners should be debarred from imposing this education cess at any part of the process. They cannot keep separate accounts for the children brought to school under the act of compulsion and say that this money comes from an education cess and therefore shall be devoted only to the children who attend under compulsion. On the other hand, if this education cess is to be devoted to the welfare of education within the municipality, it is not clear why the process, which may be a long process lasting for many years, should not be financed by additional resources until the Commissioners are in a position to impose compulsion and so obtain the cess. For these reasons, Government lay great stress upon the fundamental principles of the Bill and consider that if the Bill is to have any effect, the Commissioners should be enabled to do all that they can and this cess is one of the means by which they will be enabled to develop their resources for this purpose. There need be no apprehension that the imposition of a cess and its utilisation for education under voluntary conditions will impair the hope or prospect of adequate Government assistance. This is nowhere contemplated in the Bill. It is impossible for anyone to say now what resources Government may be able to contribute for this purpose in future years; but enabling the Commissioners to impose a cess will not impair their hope of assistance from Government. If we take a municipality in which say 65 per cent.—not an reasonable figure for some municipalities—of the children go to school, it is difficult to see why the Commissioners should not be empowered to add to their resources unless they force the other 35 per cent. to school. If the Commissioners care to assume responsibility for the efficient education of the 65 per cent., surely they should be enabled to provide ways and means. The amendment, if accepted, would give considerable advantages to municipalities which are very backward in education as compared with those which have made considerable progress and will make considerable progress under the voluntary principle. I think that we all agree that progress under the voluntary system will be more valuable than progress under the application of compulsion. For these reasons, I am unable to recommend to the Council the acceptance of this motion.'

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, in the first place I should briefly reply to the points that have been raised by the Hon'ble Mr. Wordsworth, that I as a member of the Select Committee did not record any note of dissent, but I was moving this amendment here. I do not know whether Mr. Wordsworth is aware that I

signed this report of the Select Committee subject to the right of moving amendments; this proviso has not appeared in the report. I do not know whether it is usual for it to be printed or not, but I was told that I had the right of moving amendments. However, that is one point, and then Mr. Wordsworth might refresh his memory that in the Select Committee this Bill underwent a wonderful transformation beyond recognition. So many amendments and such drastic changes were made—I say some with my concurrence—and the drafting was hurriedly done and changed the next day in pencil first and then it was typed—that one could not always keep in mind what particular wordings of the clauses were accepted by the Select Committee. I make a frank confession, my Lord; if that is a fault on my part, I plead guilty to it. That is one of the reasons why I claim a right of moving the amendments.

Then, my Lord, with reference to the argument adduced by the Hon'ble Mr. Wordsworth, and I think it covers the arguments that have been adduced by other speakers, that the municipalities are not bound to impose an education cess, I know very well that they are not, but what I say is this—that under clause 2A for the promotion of voluntary education the Local Government may call upon the municipalities concerned to submit a statement of receipts and expenditure and the receipts should include the amount recoverable from education cess and then the subsequent clause is that the Local Government will, after considering that statement, determine the amount of contribution that is to be given from the Government Exchequer, and will then issue directions. My apprehension and that of the outside public are that you will be taking away by the left hand what you give by the right hand. I submit that this should not be the position of Government with reference to a matter like education. My friend, the Hon'ble Mr. Mitra, who has opposed this amendment, has shown that out of a total expenditure of 37 lakhs of rupees, the Government contribution is Rs. 2,28,000. Having regard to the opinions that have been expressed by the municipalities, and having regard to the conservative nature of the country, I think that a great advance has been made in that the municipalities have consented to the imposition of an education cess, if education is made compulsory in their areas and provided a substantial grant is made by Government. Mr. Mitter says—perhaps he has forgotten in his enthusiasm that it is not so—that there are ample safeguards. I emphatically say that there is absolutely no safeguard, but there was a safeguard in the original Bill—two-thirds majority at a special meeting of the municipality—which has been removed altogether. As there is no safeguard and having regard to the volume of public opinion in this matter and the poverty of the municipalities, I think it would be better not to impose an education cess for the promotion of elementary education. Government ought to be liberal with them and ought to show that they were doing their best to promote voluntary education, and it was now the turn of the municipalities to come forward and make it a compulsory one and tax themselves for the purpose. Education and public opinion have so far advanced that you will find that there will be ready response to that request of Government. I submit that Mr. Mitter sitting comfortably in his house within the four corners of Calcutta can say anything he likes, but I can lay a wager with my Hon'ble friend that if the Bill which is now materially modified in the Select Committee is published again, there will be a considerable volume of public opinion against it. The education cess will affect the rich and the poor alike and therefore what I beg to submit is this—let Government show their utmost generosity and give tangible proof that they are willing to promote voluntary education by giving them sufficient funds and thus lead them on the onward path. Let them then say to the municipality, now it is your turn to make your foot steady and proceed with a cheerful

heart and attain your goal. That is the reason that has prompted me to move this amendment."

(At this stage a division was called for.)

The motion was then put.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"May I be permitted to draw Your Excellency's attention to one matter. There is a misapprehension in our quarter whether we ought to vote 'aye' or 'no'. The question has been put in a way which is rather confusing to us."

The President said :—

"I am sorry if I have confused some Hon'ble Members. The question has been put in the ordinary way in which an amendment is put in the House of Commons. If an Hon'ble Member wishes to vote for the clause as it stands, as it appears in the Bill, then he will vote 'aye'. On the other hand, if they wish to see the clause changed in the way suggested by the Hon'ble Rai Radha Charan Pal Bahadur, then they vote 'no.'"

A division was then taken with the following result :—

Noes—11.

The Hon'ble Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendro Kishor Ray Chaudhuri.
" " Rai Radha Charan Pal Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Ayes—23.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Major-General W. H. B. Robinson, C.B., I.M.S.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Mr. C. H. Bompas, C.S.I.
" " Mr. W. C. Wordsworth.
" " Mr. S. G. Hart.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Sir Nilratan Sarkar, KT.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. Provash Chunder Mitter, C.I.E.
" " Mr. Arun Chandra Singha.
" " Mr. W. H. Phelps.
" " Mr. G. A. Bayley.
" " Mr. H. R. A. Irwin, C.I.E.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.

Babu A. C. Mazumdar.

The following members abstained from voting :—

The Hon'ble Rai Debender Chunder Ghose Bahadur.
" " Rai Sri Nath Ray Bahadur.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
" " Mr C. F. Payne.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " The Nawab Bahadur of Murshidabad.
" " Mr. J. Mackenzie, O.B.E.
" " Mr. L. V. N. Meares.
" " Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. W. E Crum, O.B.E.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The noes being 11 and the ayes 23, the motion that the clause should remain as drafted was agreed to.

AMENDMENT No. 12.

The Hon'ble Babu Ambika Charan Mazumdar moved that in clause 2A, the word "and" at the end of sub-clause (*e*) be omitted, and after sub-clause (*f*) the following be inserted, namely :—

"and

(*g*) the amount of grant or assistance from the Government which the Commissioners consider would be necessary to enable them to provide for primary education within the municipality, or any part thereof."

He said :—

"My Lord, in clause 2A it is proposed that the municipalities concerned should submit a statement showing certain particulars which are enumerated as (*a*), (*b*), (*c*), (*d*) and so forth, and in clause 2B it is provided that the Government after considering that statement and also after determining the amount of financial assistance from the Government may direct the Commissioners to assume any management and control. I submit that in sub-clause (*f*) we have given all the details that may be required by Government, but I think an opportunity should be given, at the very earliest opportunity, to the municipality concerned, to say what amount of grant it should require from the Government, and therefore I propose to insert a sub-clause (*g*) after sub-clause (*f*) ; so that, in the statement to be given by the municipality, it ought to be allowed to state what amount of assistance it would require and then the Government under section 2B would be in a position to determine the amount of assistance. I think this is very reasonable, and the amendment should be accepted."

Babu S. N. Ray; Mr. O'Malley; Babu A. C. Mazumdar.

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I have great pleasure in accepting this amendment."

The Hon'ble Mr. O'Malley said :—

"My Lord, Government also are prepared to accept the amendment."

The motion was then put and agreed to.

AMENDMENT No. 13.

The following motion which stood in the name of the Hon'ble Babu Kishori Mohan Chaudhuri was, by leave of the President, withdrawn :—

"That for the words 'eleven years' in line 11 of clause 2B the words 'ten years' be substituted."

AMENDMENTS Nos. 14 AND 15.

The Hon'ble Babu Ambika Charan Mazumdar moved that at the end of clause 2B the following be added, namely :—

> "Provided that the amount of financial assistance from the Government mentioned in this section shall not be less than 30 *per cent.* or more than 50 *per cent.* of the total expenditure involved in each case."

He said :—

"My Lord, much that I have to say in regard to this amendment has already been said by many of the members of this Council. Clause 2B provides that the Government will determine the amount of assistance. My proposition is that the amount of financial assistance from the Government mentioned in this clause shall not be less than 30 *per cent.* or more than 50 *per cent.* of the total expenditure involved in each case. It is the sacred duty of Government to provide for the education of the poor, and I think the figures that have been placed before this Council by my friend the Hon'ble Mr. P. C. Mitter are very striking. He has shown that the Government of Bengal spend much less than the Government of Bombay for the purpose of primary education. I know Government contemplate the provision of as much as they can for primary education to help the municipalities in extending the provisions of this enactment, but I think Government ought to have courage and generosity enough to come forward to announce to the public that the Government do not keep it entirely at its sweet pleasure, but that it is prepared to make substantial grants for the purpose of extending primary education in the country, and therefore I think that the least they can do is to say that Government are not going to pay less than 30 *per cent.* and they may go up to more than 50 *per cent.* But, my Lord, having regard to the trend of these grants which we have seen from time to time with regard to education, I have not been bold enough to rise to the top of my courage in this matter, and therefore I have kept it between 30 and 50 *per cent.* My Hon'ble friend on my right was just telling me that it is 50 *per cent.* in England, but I know India, and for the matter of that Bengal, is not England, and if we can get substantial assistance from the Government, namely, not less than 30 *per cent.* it will be some encouragement to the municipalities to come forward to extend the provisions of this Act ; but if they are left entirely

in the dark as to what amount Government will grant, probably many will not venture to come forward with a prayer for extending the provisions of this enactment within their jurisdiction. Therefore I think that Government ought readily to say that they shall grant at least 30 *per cent.* And in order that the people may also tax themselves, I have not gone beyond 50 *per cent.* It is for the purpose of making this enactment operative that I propose that Government should readily come forward with substantial help, and if it is not prepared even to grant 30 *per cent*, what the fate of this enactment may be, may easily be conceived."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I leave this amendment to Government to decide, but I should like to say a few words with reference to the Government contribution. The success of this measure, I mean the extension of primary education in the country, must depend on the share which the Government is prepared to bear of the cost. Mr. Gokhale in introducing his Primary Education Bill in the Imperial Legislative Council, said that in England the Parliamentary grant covers about two-thirds of the total expenditure on elementary schools. In Scotland it amounts to more than that proportion, whereas in Ireland it meets practically the whole cost. I think we are entitled to ask that in India at least two-thirds of the new expenditure should be borne by the State. The resources of the public bodies of this Province are limited. In Bombay the municipalities as a general rule get very substantial contribution from Government. While there is a general desire in this country for extension of primary education, people are afraid of the cost. I have already placed a few of the remarks on the question of Government aid and imposition of an educational cess while speaking on the amendment of my Hon'ble friend Rai Radha Charan Pal, so I would not like to say anything more on the subject."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I would also leave this amendment to the Government, but in doing so, I desire to point out one aspect of the question which seems to have been overlooked. I mean the question of taxable limit, whether it be by the Municipality or the Government. Some of us may think that so long as we say that Government should contribute more, we are really serving the people. Others again may take too narrow a view of things, and think that it is possible for municipalities to raise large sums of money, but what are the facts? The municipalities in Bengal, at least most of them, excepting Calcutta and perhaps Howrah, are very poor. If you compare the condition of municipalities in Bengal with Bombay, or for the matter of that with Madras and the United Provinces, you find that the Bengal municipalities are poor. What are the conditions of municipalities in general? Only a collection of houses, where pleaders and officials live, and perhaps a few zemindars. Without manufactures, without industries, it is not possible for municipalities to find large sums of money, and therefore it is not possible for the municipalities to incur large expenditure for the cost of primary education whether it be voluntary or compulsory, so it is a question of the Government augmenting the resources of the municipality, and not of the municipality augmenting the available resources of the Government. If the Government on the one hand merely admits that 30 or 50 per cent. must be paid by the Government and so long as that percentage is not paid, work should remained at standstill, then who suffers? The people who live in the jurisdiction of the municipality suffer. At the same time, if the Government takes up the attitude that so long as municipalities do not help themselves, they will not help them, then as a question of

abstract principle it is all right, but in the result perhaps the interest of the Government and the municipality in the matter of education will suffer. Therefore I am inclined to think that perhaps the best course would be to leave matters as they are. If we fix a percentage of 30 or 50 per cent. perhaps those who have the interest of primary education at heart may be confronted with the hard-and-fast rule laid down in the statute. With these remarks I leave the matter to the Government."

The Hon'ble Mr. O'Malley said :—

"This is the first of three amendments designed to impose financial liability on Government. In each case a minimum is to be fixed for the Government contribution. Under this amendment the minimum is to be 30 *per cent.* and under amendments Nos. 15 and 30 it is to be 50 *per cent.* From the point of view of Government all the amendments are open to the same objection. It is arguable in the first instance whether it is right to impose a financial obligation on Government in perpetuity by a legislative enactment. The amount which Government can give in any one year must depend on the amount available as well as the other needs of the administration. This is a familiar principle on which the budget is generally framed. I may further point out that Government already makes considerable grants to local bodies for purposes of education, although admittedly only a portion of the grants is derived from provincial revenues. Recently I had occasion to refer to the figures and I find the following result. In 1917-18 local bodies in Bengal spent 14⅓ lakhs on education. Of this sum nearly 11½ lakhs consisted of Government grants made over to local bodies. This was in addition to direct expenditure by Government of 82½ lakhs on education. I would invite special attention to those figures, and I may say in explanation that I am here not making a distinction between Provincial and Imperial revenues, but have lumped both together as showing State expenditure. In the last year, as in other years, the Government grants to municipalities were much smaller than those made to district boards, but still they represented a little over one-third of the amounts found by the municipalities themselves. Government intend to continue to make grants to local bodies for education. Government is in entire sympathy with the object of the Bill which is to stimulate the extension of primary education, but the actual amount given by Government each year must depend on the amount at its disposal, and the share municipalities get must depend on the other demands for education. For instance, Government can scarcely be expected to starve district boards, with their vast areas and great population, for the sake of municipalities which after all only account for a small portion of the population. The needs of both district boards and municipalities have to be considered and a fair and equitable distribution made of the money available. Another objection to the amendment is that we do not know what will be the total amount necessary for a proper system of primary education in municipalities, or how much can be met from different sources, such as fees, education cess, endowments and so on. Without definite knowledge on this point, it is impossible to say what grant would be required from Government. In some places it is possible that a Government grant would not be required, and if so, the amendment would merely transfer to public revenues a charge which could be met from other sources. Government cannot accept a liability of an indefinite kind such as this amendment contemplates now that the financial future is dark and uncertain. The Council are aware that a new system of provincial finance is contemplated under the Reform scheme. A scheme of settlement has been proposed which aims at the separation of

Imperial and Provincial resources and responsibilities in the matter of finance. The present system of Imperial subventions will cease, and it would be unwise, to say the least, for the local Government to entertain expectations of assistance beyond that which it can afford from provincial resources. The report on the Reform Scheme gives an estimate of the provincial revenue as 734 lakhs and of the expenditure as 675 lakhs; the contribution to the Government of India, however, is put down at 69 lakhs and the provincial surplus is therefore only 10 lakhs. It is at present impossible to say what will be the demand on the provincial surplus, but as things are at present, the Government is obliged to decline to be bound by law to a liability of an indefinite amount as proposed in the amendment which I must therefore oppose on behalf of Government."

The Hon'ble Rai Debender Chunder Ghose Bahadur said : —

"My Lord, after what has fallen from the Hon'ble Mr. O'Malley it gives grounds for distrust that the Government do not mean to devote any appreciable part of their revenues for the promotion of mass education. Otherwise, such a modest proposal as this—as the Hon'ble Babu Ambika Charan Mazumdar says, the Government contribution should not be less than 30 *per cent.* of the total cost and not more than 50 *per cent.* of that cost—should find a place in the statute-book instead of being opposed by a pronouncement on behalf of Government. This leads me to refer to a little ancient history. When the East India Company came to sovereignty and after the Government became settled, the land revenue of the country was secured by a wise act of the British Government. When the President of the Board of Control was Mr. Dundas and the Prime Minister Mr. Pitt, their instructions for a permanent settlement of the land revenue were carried out by Lord Cornwallis in this country; after that the Government gradually found time to consider the question of education in this country and during the time of Lord Bentinck the idea of fostering western education was taken up. Mass education was not thought of at that time. The reason of course was clear. In England there was no mass education at that time and in England it was not till the year 1870 that any serious effort was made to introduce primary education in that country. The East India Company by their despatch of 1854 broached this idea and though their despatch did not exactly result in the introduction of mass education, a great impetus was given to education in the country. The East India Company were composed of commercial men—not men of broad views—and they could be excused if they did not take a very high view of their duties of sovereignty. Then came the transfer of the sovereignty from the East India Company to the Crown, and it appears that mass education was not very seriously considered for some considerable time. The attitude of Government was this : they must spend some money for education; otherwise it would look very disreputable. That was how matters stood. In 1870 when mass education was introduced in England and by the Act of 1870 and the Act of 1876 education was made compulsory there, we find that England having recognised that the duty of the State was to see that every child in the land got education, it slowly dawned upon the horizon of this country that similar things should be done here also. But there was not a proper conception of the duties of sovereignty in this respect in this land for a considerable time. I take it that the primary duties of the State are the preservation of peace and order, the administration of justice and the giving of education to every child in the land. The third duty has very slowly dawned upon the Government of this country. It is said that the revenues are not sufficient and my Hon'ble friend on my right, Mr. Mitter, considers that the purse-strings of Government should be kept tight when any demand for education is made. He says that if Government were to allow so much as 30 or 50 *per cent.* for mass education, it is your money going in a shape, and

therefore the best thing is to leave things as they are. I want to leave no room for Government hereafter to get away and say 'Oh, you are able to provide for your education and we will not allow you any grant from Government.' That is our suspicion and the answer of the Hon'ble Mr. O'Malley supports that suspicion. When it is said that the revenues of Government are not sufficient, it is meant that the allotments made by the Government of India to the Government of Bengal for purposes of administration will not be sufficient if we are to make such grants for mass education. The Government of Bengal has only to apply to the Government of India and to move that Government to make a larger allotment. I think I am not far wrong that taking the revenues of Bengal, without the Government of India having the lion's share of it, they are amply sufficient for giving free and compulsory education to the masses of the soil. The proportion of literates in the population in this land is exceedingly low. I have forgotten, Sir, the figure which my Hon'ble friend Mr. Mitter has furnished us—I think it is 6 per cent., but still it is very low. If the members feel that India may be made more prosperous and a boon to the rest of the world, for this purpose every *sou* must be given to education. If India has to contribute to the general intelligence of the world, and to the better advancement of scientific truth and industry there should be no shirking of duty as regards the promotion of education amongst the masses. If there be a statutory provision for the grant, that will be some security for that. I may be permitted to mention—and I may also correct the Hon'ble Mr. Mazumdar—that the state of things in England is this: I am not aware that there is a statutory provision in England for the proportion of State-grant, but I recently requested, in view of what Mr. Gokhale said some eight years ago in the Imperial Legislative Council that the State in England provided $\frac{2}{3}$rd of the cost, a proper person to look into the matter for me and I found what the figures are for the year just preceding the war (1913-14); the contribution of the State for primary education in England and Wales was about one-half of the total cost, and that is the state of things which, I believe, has been going on for some time. I do not know what the state of things in Ireland and Scotland is as I have not got the figures with me. Therefore we are entitled to say that if in England the local bodies are helped to the extent of one-half of the cost of primary education by the State, may we not venture to ask for some thing here, and I should not have asked for a statutory provision if my suspicion as regards the future attitude had not been confirmed by the observations of the Hon'ble Mr. O Malley. I think, my Lord, there is a feeling amongst our people that Government is not doing fairly with us as regards the promotion of mass education. Do we forget that some ten years ago, when Mr. Gokhale moved in the matter for the introduction of mass education in India, the local Governments opposed him and the Bill was opposed by the Government in the Council and was defeated. That shows, Sir, the reason for a statutory obligation on the Government that they must provide a substantial portion of the cost."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, just following the motion of my Hon'ble friend Babu Ambika Charan Mazumdar the next motion is mine. I do not know whether I shall be in order to move my motion at this stage."

The President said :—

"It depends entirely on whether the motion which is before the House is accepted or not. If the motion is not carried, then the Hon'ble Member will not be in order."

Rai R. C. Pal Bahadur; the President.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My motion is that the financial assistance from the Government shall not be less than half the total amount of expenditure. Therefore, I submit, that my motion precedes that of my friend the Hon'ble Mr. Mazumdar."

The President said :—

"The question in the two amendments is the same, the only difference being in the figures. The most convenient way will be for the Hon'ble Members to discuss both amendments now and they can vote for one when it is put from the Chair. I must take them in the order in which they appear on the agenda paper."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, the matter has been very fully discussed and I do not wish to say much on the subject because I can well understand the fate of this motion. The Hon'ble Members who were members of the Select Committee will perhaps remember that I was one of those who wanted that some statutory proportion should be fixed in the Bill. I am not prepared to accept the motion of my Hon'ble friend Babu Ambika Charan Mazumdar, because he fixes the minimum of 30 and maximum of 50 per cent. I have tried to follow him in the speech he has made, but I do not quite understand on what grounds he limits the maximum to 50 per cent. This matter had been fully discussed in the Corporation and the Corporation, it will be found, recommended that for voluntary education Government should pay half and for compulsory primary education an amount not less than double the amount set apart by the municipality for primary education. This was unanimously accepted by the Corporation which is composed of all sections of the community. Then, my Lord, my Hon'ble friend, Mr. Mazumdar, is the President of an Association which is well known in the city—the Indian Association (The Hon'ble Babu Ambika Charan Mazumdar—Not now), and that Association I find have made out a strong case for a contribution from Government, and they say that a clear provision should be made in the Bill about the contribution by the Local Government towards the cost of compulsory primary education within a given area and the proportion of such contribution should be fixed at two-thirds of the entire cost. Then, my Lord, they conclude by stating the proportions that prevail in England, in Scotland and Ireland and they give figures which show that in Ireland practically the whole cost of elementary education is borne by the State. Surely, my Lord, the Hon'ble Mr. O'Malley would not grudge at least half the amount to his fellow citizens, brethern, under the same sovereignty in India, when he and his own countrymen get practically the whole cost from the State in their country. My Lord, my friend the Hon'ble Rai Debendra Chandra Ghosh Bahadur has said very forcibly that there is an impression in the public mind that what the Government will do upon the passing of this Act is simply to get the education cess realised, and then when the time comes for contribution, however much we may go down on our knees and pray with folded hands, they will compel the people to submit to it. If the Government is sincerely anxious to foster and stimulate primary education in this country, I think Government should at least consent to the provision that they will contribute half the cost from the public revenues. The Hon'ble Mr. O'Malley has said that Government have got many other items of expenditure to provide for and that there is also the Reform Scheme coming. I do not remember all the items, but I submit that the promotion of primary education should be one of the main duties of the State supplemented by local resources.

Rai D. C. Ghose Bahadur; Rai R. C. Pal Bahadur; The President; Sir Henry Wheeler.

As regards the argument of my Hon'ble friend Mr. P. C. Mitter that in this matter we shall tax ourselves, I admit that it is quite true, but it is a local taxation by which the poorest of the people in the far outlying municipalities in the mufassal will be taxed. Therefore there is a difference between this taxation and other general taxations such as the tax on jute. So we need not be carried away by the eloquence of my Hon'ble friend Mr. Mitter. On these grounds I support the general principle of my friend's amendment. I will not however make another speech when I shall move my own amendment."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"There is a third amendment, in which I ask for 50 *per cent.* contribution (Item No. 30)."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I pray that my motion may be put first."

The President said :—

"The position will be this : I should put the motion of the Hon'ble Babu Ambica Charan Mazumdar first. All those Hon'ble Members who prefer the motion of the Hon'ble Rai Radha Charan Pal Bahadur will vote against the first motion. After it is voted on I should put the motion of the Hon'ble Rai Radha Charan Pal Bahadur."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, there may be some of my colleagues who might be, if the larger piece is lost, content with the smaller crum."

The President said :—

"If the Hon'ble Members have no objection, I will put No. 15 first and then if it is not carried I will put No. 14. Is that the Hon'ble Members' wish?"

The Hon'ble Members agreed.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I had hoped to escape the obligation of speaking on this motion because it seemed to me that the objections to it were so patent that they would commend themselves without much discussion in Council, but in view of the two speeches that we have just heard, and as I am particularly concerned with the financial side of the Local Government, it is perhaps desirable that I should add a few words. The speech of the Hon'ble Rai Debender Chunder Ghose Bahadur, on his own showing, is based on suspicion and distrust, but I am not concerned with the workings of the Hon'ble Member's mind and I find it difficult to cope with them. If he is filled with distrust and suspicion I can only regret the morbidity of his point of view and take it from him that his mental attitude is as stated. But on the other hand I am entitled to put it to the Council that on the grounds upon which he bases his suspicions there is little to justify his conclusions. He says that he is confirmed in them after hearing the speech of the Hon'ble Mr. O'Malley, though I should have thought that he would have been more confirmed in a suspicion as to our financial competence if we accepted the amendment. But even taking the speech of the Hon'ble Mr. O'Malley, what are the three propositions that he laid down? First, Government, as a matter of fact, in comparison with the contributions of local bodies, does at present contribute in a

The President.

liberal proportion towards education : secondly, that Government is in sympathy with the object of this Bill and hopes, after the Bill is passed into law, to assist its fulfilment, and thirdly that it is not possible for Government to accept an indefinite liability, in the face of an absolute indefiniteness as to its future resources. These are the three points which the Hon'ble Mr. O'Malley has emphasized.

" As to the first, I submit that there can be no question, since the figures he has given speak for themselves. As to the second, the attitude of Government towards this Bill, and its attitude towards education in general, have been frequently explained, and are borne out by the action ,which has been taken in the past and which it is hoped to take in the future. As to the third point, it is a simple matter of fact. We do not know what the financial liability may be, if effect is given to the provisions of the Bill either in whole or in part. That is not a matter of conjecture but of fact. The expenditure likely to be involved under the scheme of the Bill has still to be ascertained, and it is not defined by the mere insertion of an arithmetical fraction in the Bill. As to the indefiniteness of our resources, it is also a fact that we do not know what our financial position will be under the Reforms Scheme, but I think I have on a previous occasion mentioned in Council that we are not likely to find ourselves in any too affluent circumstances. When the Hon'ble Rai Debendra Chandra Ghosh Bahadur tells that we simply have to ask the Government of India for more money, he seems to betray an entire ignorance of what future relations are likely to be. Are Hon'ble Members of this Council not aware of various criticisms which are made against the financial proposals of the Reforms Scheme? It is held strongly, for instance, in the Punjab, Madras and Burma, that Bengal is going to be extremely well treated under the financial scheme which has been outlined in the Reforms proposals in comparison with other provinces, and these provinces are likely to represent that their contributions to the Central Government will be too heavy and ours too small. In the face of that contention is it likely that, merely for the asking, we shall be able to extract from the Government of India whatever sums we may require? But, apart from that, we do not know at present what the actual figure of our future income is likely to be, though if, so far as we can foresee, we are not likely to have a wide margin over obligatory expenditure, there is all the more reason that we should not rashly accept vague liabilities. When this scheme of provincialization of local finance comes into force, surely we shall have to consider in respect of each specific demand whether it will be wise to admit it, and if we decide to admit it, it may even necessitate the imposition of further taxation. In view of these two factors,—the desirability of each scheme as weighed against the available resources and the possibility of fresh taxation—our successors will have to come to a conclusion. But, in the state of uncertainty which exists at present, I submit that it would be absolutely unreasonable to expect the Local Government now to accept an arithmetical obligation."

The President said :—

" I am sorry that I confused Hon'ble Members by the way in which I put some of the amendments this morning. If they prefer it, I will put the amendments as far as possible in the form in which they appear on the agenda paper so as to avoid any confusion. If the Hon'ble Member wishes to vote for the amendment, that is to add certain words to the Bill, he must vote 'aye'.

Now I shall put No. 15 to the vote."

The Hon'ble Babu Ambica Charan Mazumdar said :—

"May I say a few words in reply ?"

The President said :—

"Does the Hon'ble Member wish to make any further remarks upon No. 14 ?"

The Hon'ble Babu Ambika Charan Mazumdar said :—

"Yes, my Lord. I have listened to the debate on my motion with some degree of disappointment. The Hon'ble Member in charge of the Bill has left it to Government; my Hon'ble friend Mr. P. C. Mitter has also left it to Government, but the Government, through the Hon'ble Mr. O'Malley, has given us practically a curt refusal. He says that the Government cannot commit itself to any grant. The word 'distrust' may be a strong word, but certainly it is disappointing. I was under the impression when this Bill was introduced by my Hon'ble friend to my left that it was a great act for which we ought to be grateful not only to him, but also to the Government which received it. But it now comes to this, that while we asked for bread, we are simply going to get stones. We were proud to think that we were going to participate in the passing of this Bill, but now it comes to this, that there will be an education cess, the burden of which may not be felt by my Hon'ble friend Mr. P. C. Mitter or my Hon'ble friend Babu Surendra Nath Ray, but which will fall upon the public in general very heavily without any adequate return for this cess. We shall have an education cess, and then we shall have an education department to extend our primary education. That is all and nothing more. Now referring to the opinion which has been expressed by the Hon'ble Director of Public Instruction in his published opinion, I find that he has drawn up a statement showing the immense disparity in the number of persons receiving education in municipalities and under the district boards. While there are 2 per cent. of the people receiving education under the district boards, the percentage in municipalities now is 10 and sometimes 12, and he has expressed regret that such has been the state of things in municipalities. Why ? He falls back on the old story of efficiency and inefficiency; he says they have not provided good school buildings, furniture and so on, so that it shows inefficient education. We can now very well understand what the Education Department will do when this Bill becomes law. They will go upon efficiency, although we know at present we would rather prefer to give education to our agriculturists and labourers sitting under a banian tree rather than in commodious houses. Many of us (belonging to the *bhadralok* classes) received our education sitting under a tree and writing our letters on plantain leaves. However, this may not be tasteful to the men who now lead our society, and who want everything to be left to the tender mercies of Government, but I submit if Government do not come forward to spend even 30 per cent. on education, it is as good as saying Government declines to contribute anything. If, my Lord, I have not succeeded in doing anything, I have at all events succeeded in drawing some one out of the bag, and to show that Government is not disposed to pledge itself to any grant. The Hon'ble Mr. O'Malley has referred to the Reform Scheme which is coming on. Yes, I am aware of it, but is the Reform scheme going to swallow up primary education ? I ought not to make any unpleasant remark, but I can scarcely resist the temptation of saying that money is forthcoming for police buildings, and other things, but when primary education is concerned for which Government has shown so much solicitation in accepting the Bill which has been presented to us this day, then of course Government cannot commit themselves to any undertaking, not even a bare 30 per cent. of the cost. This raises a very gloomy aspect before me at all events : when I came to the Council, it was with the satisfaction that I was going to be a party to an enactment which was

intended to relieve the ignorance of my poorer countrymen, but I do think that if you reject even this modest proposal of mine, that many of us will go back with sad reflections that we have been a party to a measure which threatens only taxation and taxation and nothing but taxation."

The following motion (Amendment No. 15) which stood in the name of the Hon'ble Rai Radha Charan Pal Bahadur was then put, namely :—

"That at the end of clause 2B the following be added, namely :—

'Provided that the financial assistance from the Government shall not be less than half the total amount of expenditure to be incurred by the municipality in carrying out the direction of the Local Government under this section.'"

A division was then taken with the following result :—

Ayes—13.

The Hon'ble Sir Nilratan Sarkar, Kt.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter, C.I.E.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar

Noes—17.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Major-Genl. W. H. B. Robinson, C.B., I.M.S.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley
" " Mr. C. H. Bompas, C.S.I.
" " Mr. W. C. Wordsworth.
" " Mr. S. G. Hart.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. W. H. Phelps.
" " Mr. H. R. A. Irwin, C.I.E.

The following Members were absent :—

The Hon'ble Mr. H. P. Duval.
" " Mr. C. F. Payne.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " the Nawab Bahadur of Murshidabad.
" " Mr. J. Mackenzie, O.B.E.
" " Mr. Aminur Rahman.
" " Mr. L. V. N. Mearos.
" " Babu Siv Narayan Mukharji.
" " Mr. Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. W. E. Crum, O.B.E.
" " Mr. G. A. Bayley.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The Ayes being 13 and the Noes 17, the motion was lost.

Babu A. C. Mazumdar.

The Hon'ble Babu Ambika Charan Mazumdar's motion (Amendment No. 14) was then put and a division was taken with the following result :—

Ayes—9.

The Hon'ble Babu Brojendra Kishor Ray Chaudhuri.
,, ,, Rai Debender Chunder Ghose Bahadur.
,, ,, Rai Radha Charan Pal Bahadur.
,, ,, Rai Sri Nath Ray Bahadur.
,, ,, Babu Akhil Chandra Datta
,, ,, Rai Mahendra Chandra Mittra Bahadur.
,, ,, Babu Surendra Nath Ray.
,, ,, Babu Kishori Mohan Chaudhuri.
,, ,, Babu Ambika Charan Mazumdar

Noes—22.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
,, ,, Major-Genl. W. H. B. Robinson, C.B., I.M.S.
,, ,, Mr. J. Donald, C.I.E.
,, ,, Mr. L. S. S. O'Malley, C.I.E.
,, ,, Mr. M. C. McAlpin.
,, ,, F. A. A. Cowley.
,, ,, Mr. C. H. Bompas.
,, ,, Mr. W. C. Wordsworth.
,, ,, Mr. S. G. Hart.
,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.
,, ,, Sir Nilratan Sarkar, Kt.
,, ,, Mr. W. H. H. Arden-Wood, C.I.E.
,, ,, Mr. Provash Chunder Mitter, C.I.E.
,, ,, Babu Siv Narayan Mukharji.
,, ,, Mr. W. H. Phelps.
,, ,, Mr. H. R. A. Irwin, C.I.E.
,, ,, Khan Sahib Aman Ali.
,, ,, Raja Hrishikesh Laha, C.I.E.

The Hon'ble Kumar Shib Shekharoswar Ray abstained from voting.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
,, ,, Mr. C. F. Payne.
,, ,, Rai Priya Nath Mukharji Bahadur, I.S.O.
,, ,, the Nawab Bahadur of Murshidabad.
,, ,, Mr. J. Mackenzie, O.B.E.
,, ,, Mr. Aminur Rahman.
,, ,, Mr. L. V. N. Moares.
,, ,, Mr. Arun Chandra Singha.
,, ,, Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
,, ,, Mr. F. W. Carter, C.I.E., C.B.E.
,, ,, Mr. W. E. Crum, O.B.E.
,, ,, Mr. G. A. Bayley.
,, ,, Dr. Abdulla-al-Mamun Suhrawardy.
,, ,, Maulvi Abul Kasem.
,, ,, Mr. M. Ashraf Ali Khan Chaudhuri.
,, ,, Maulvi A. K. Fazl-ul-Haq.
,, ,, Babu Bhabendra Chandra Ray.
,, ,, Mr. Altaf Ali.
,, ,, Babu Mahendra Nath Ray, C.I.E.
,, ,, Mr. K. B. Dutt.

The Ayes being 9 and the Noes 22, the motion was lost.

Kumar Shib Shekhareswar Ray; Babu S. N. Ray.

AMENDMENT No. 16.

The Hon'ble Kumar Shib Shekhareswar Ray moved that for the words "the Commissioners" in lines 2 and 3 of sub-clause (*1*) of clause 2D the words "three-fourths of the total number of Commissioners" be substituted.

He said :—

"What I want is that instead of the application being made by a bare majority, it should be made by three-fourths of the total number of Commissioners. My Lord, the introduction of compulsory primary education in the mufassal is a matter of far reaching consequences. Many important side issues are involved in it. Whether local conditions will permit a large number of boys to be spared from agricultural and domestic necessities, and whether it will be desirable for the children of certain communities to be associated with the bulk of the people at a certain school, and whether it would be possible for the majority of the population to bear an education cess and to pay the necessary school fees, are all very important issues which require careful consideration before compulsory education is introduced in any municipality. The clause now lays down that at any meeting of the municipality the Commissioners may decide that compulsory education should be introduced within its area. Now, my Lord, there are impatient idealists everywhere who in their enthusiasm often overlook the practical difficulties that will stand in their way. If such a person be in authority, it would not be very difficult for him at one of the meetings to have his own idea regarding the introduction of the compulsory education system carried even if the bulk of the ratepayers do not want it. My Lord, rule by majority is now an accepted principle in all self-governing institutions, but if successful administration is the aim this principle would however have to be qualified according to different existing conditions in different institutions. As I know something about the condition of our mufassal municipalities, and union committees, I cannot but hold that it would be dangerous to allow municipalities to decide the fate of such an important matter by a bare majority. I therefore suggest that effect should be given to the recommendations on this subject only when at least 75 per cent. of the total number of the Commissioners be of opinion that compulsory education should be introduced within their municipality. I hope my colleagues will realise the anxiety which I feel for the simple ratepayers of our mufassal municipalities and support my amendment. I find that the Hon'ble Raja Hrishikesh Laha who has extensive experience of our rural areas is also anxious for a somewhat similar provision, but I want to meet the difficulty just at the beginning before the definite proposal is sent up to the Government."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment. It is impossible that 75 per cent. of the members should be present. My Hon'ble friend knows very well—he must have read some of the Acts by which the meetings of public bodies are regulated, such as the Bengal Municipal Act and the Local Self-Government Act—and in these cases we find that at an extraordinary meeting the number fixed is two-thirds and not three-fourths. My Hon'ble friend has spoken of impatient idealists, but if there are impatient idealists in the mufassal towns, there are also retrograde reactionaries there too. We thought that it was necessary that the number should be fixed, and we found in other Acts of a similar nature that the number was two-thirds and not three-fourths."

The Hon'ble Kumar Shib Shekhareswar Ray said:—

"Sir, no number has been fixed at all. The Hon'ble Babu Surendra Nath Ray says two-thirds. But nothing has been mentioned here."

The Hon'ble Babu Surendra Nath Ray said :—

"I beg your pardon. I meant a bare majority was sufficient."

The motion was then put and lost.

AMENDMENT No. 17.

The Hon'ble Babu Surendra Nath Ray moved that the words "if any" in line 4 of sub-clause (*3*) of clause 2D be transposed so as to come after the word "newspapers" in line 3 of that sub-clause.

He said :—

"This is a verbal amendment and I think it may be accepted."

The motion was put and agreed to.

AMENDMENT No. 18.

The Hon'ble Raja Hrishikesh Laha moved that at the end of sub-clause (*4*) of clause 2D the following be added, namely :—

"and at which not less than two-thirds of the total number of Commissioners are present."

He said :—

"As primary education is to be made compulsory, it is necessary that the notification should have the support of a majority of the representatives of the people who are supposed to know the educational needs as well as the willingness of the people of the area in which such compulsory education is to be enforced, specially as they will have to bear the burden of educational expenses if imposed upon them under clause 21(*b*) of the Bill."

The Hon'ble Babu Surendra Nath Ray said :—

I have much pleasure in accepting this amendment.

The motion was put and agreed to.

AMENDMENT No. 19.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the words "of Schools" in line 2 of the proviso to clause 7 the words "at least one Commissioner" be inserted.

He said :—

This motion refers to the constitution of the School Committee.

"I fully realise that this clause does not make the list exhaustive, but I wish to add that at least one of the Commissioners should also be on the Committee; there may be more, but things may so happen that only the Deputy-Inspectors and the Sub-Inspectors and one or more residents of the municipality may constitute the Committee. I think the municipality which will levy the tax and realise it, should have at least one member. It may well be argued that the Commissioners may have no room at all, but if you want to have one or more residents of the municipality, and the Deputy Inspector and a Sub-Inspector, there should be at least one Commissioner as well."

Babu S. N. Ray; Raja Hrishikesh Laha; Mr. P. C. Mitter.

The Hon'ble Babu Surendra Nath Ray said :—

"I accept the amendment, although I think it unnecessary as the Commissioners themselves will appoint the Committee, but still I accept it."

The motion was put and agreed to.

AMENDMENT No. 20.

The Hon'ble Raja Hrishikesh Laha moved that for the words "ten years" in line 4 of sub-clause (*1*) of clause 8 the words "twelve years" be substituted.

He said :—

"A course of education for four years only from the age of six to ten is not expected to confer any appreciable benefit to the boys or to be of any material service to them in after-years. Moreover, their attendance would vary according to seasonal demands, and hence their presence in the school would be only half-time. Their power of comprehension must necessarily be in a very undeveloped state, for which due allowance ought to be made, and I, therefore, suggest that the period of training should be extended to two years more and the age-limit be raised from ten to twelve. This, of course, presupposes a further expenditure on the boy for two years more, but I would not grudge it having regard to the fact that the object of the Bill is to make the boy more practical and a better citizen—an object for which no sacrifice is too great.

In support of my amendment I beg leave to quote from the *Cyclopedia of Education*, Volume I, page 287, the following passage :—

'Parents or guardians of children from five to fourteen (originally five to thirteen) were put under obligations to send them to a certified school every day that such school is in session. In case children are sent to an uncertified (inspected and approved) school, the burden rests on the parent to prove the competency of the school. Five to thirteen is still admitted as the compulsory age in certain rural districts.

'A considerable list of exemptions, however, existed. At twelve children could be examined, and if found proficient, could be excused from further attendance. A system of part-time attendance could also be permitted by local authorities, that is for children from twelve to fourteen (eleven to fourteen in agricultural areas) if they have attained a certain standard of proficiency or made during five years a required number of attendances.'

Moreover on humanitarian grounds the age-limit should be raised to twelve, namely, the necessity of protecting the boy from labour beyond his physical capacity, as the poverty of the parents may induce them to get him into an employment, which, on account of excessive labour, would very likely tend to deteriorate his health."

The Hon'ble Mr. P. C. Mitter said :—

"I think, my Lord, the proposition of my Hon'ble friend Raja Hrishikesh Laha is to have a six years' course from six to twelve. If we increase the period of compulsion by two years more it will add very considerably to the expenses incurred. I have tried to work out the figures and I have very grave doubts as to whether we will be able to find the money for providing compulsory education for a period of four years, and if we make it six years it will be well-nigh impossible."

Rai R. C. Pal Bahadur; Babu S. N. Ray; Mr. Wordsworth; Raja Hrishikesh Laha.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I support, my Lord, the amendment of the Hon'ble Raja Hrishikesh Laha. I was of the same opinion in the Select Committee. I think, quite apart from the question of expense, if the object is to give some training to the boys, the age-limit ought to be increased to twelve years, especially in a country like India, because the period between eight to ten is the period when boys begin to understand things and pick up knowledge. To fix the maximum age at ten years under the period of compulsion will, I believe, having regard to the development of the boys in this country, be too low. When we are trying to give them some sort of education it is better to increase the age to twelve years; although it will involve some additional expense I think it will be in the long run to the benefit of the country. I therefore most cordially support the motion."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry that I cannot accept this amendment. Your Lordship will be pleased to see that in Bombay where the Bill has been passed into Act the age is fixed at ten. In the Punjab where the Bill has recently been passed it is also fixed at ten, and in the Bihar and the United Provinces Bills, the age is also fixed at ten. I have therefore followed the lines of these Bills. Moreover, I think a four years' training in the vernacular will be quite sufficient to impart to the boys some sort of education which is the object of primary education. In fact, I myself left the vernacular school at the age of nine. For these reasons I oppose the amendment."

The Hon'ble Mr. Wordsworth said :—

"My Lord, on behalf of Government I am unable to recommend the Council to accept this amendment. The Bill provides that municipalities shall, if they so wish, make arrangements for the provision of education under a voluntary system for all children who wish it up to the age of ten. It will obviously lead to confusion if the Commissioners proceeded to apply the compulsion to all boys up to the age of twelve. It is obviously desirable that education should be extended as far as possible, but here in this particular section we are dealing with compulsion—a new principle in Bengal—and the Select Committee considered and Government considers that the age of six to ten is as much as we can reasonably expect to bring under compulsion in the first instance. After experience of compulsion, if it is found that compulsion is welcomed, it will be possible to modify the Bill, but as a first essay Government feels that the age of six to ten is sufficient."

The Hon'ble Raja Hrishikesh Laha said :—

"My Lord, I have heard what has been said by my Hon'ble friend Babu Surendra Nath Ray, but I do not think the cultivating classes are so very intelligent as to learn everything in nine years. He says that he left the primary school at the age of nine From my personal experience of lower and upper primary schools, I do not think any benefit will be derived if the period is not extended by two years. Now, after only four years' training the boys will go back to their work and will forget everything and will forget even to sign their name. That is the result of four years' training, and if you do not extend it by two years more, it will be better not to give primary education at all."

Raja Hrishikesh Laha.

The motion was then put and a division was taken with the following result :—

Ayes—7.

The Hon'ble Raja Hrishikesh Laha, C.I.E.
" " Rai Debendra Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mohendra Chandra Mitra Bahadur.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambica Charan Mazumdar.

Noes—22.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " " C. J. Stevenson-Moore, C.V.O.
" " Major-Genl. W. H. B. Robinson, C.B., I.M.S.
" " Mr. J. Donald, C.I.E.
" " " L. S. S. O'Malley, C.I.E.
" " " M. C McAlpin.
" " " F. A. A. Cowley.
" " " C. H. Bompas, C.S.I.
" " " W. C Wordsworth.
" " " S. G. Hart.
" " Sir Rajendra Nath Mookherjee, K.C.I.E.
" " " Nilratan Sarkar, Kt.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " " Provash Chunder Mitter, C.I.E.
" " Kumar Shib Shekhareswar Ray.
" " Mr. W. H. Phelps.
" " " H. R. A. Irwin, C.I.E.
" " Rai Sri Nath Ray Bahadur.
" " Babu Surendra Nath Ray.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
" " " C. F. Payne.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " the Nawab Bahadur of Murshidabad.
" " Mr. J. Mackenzie, O.B.E.
" " " Aminur Rahman.
" " " L. V. N. Meares.
" " Babu Siv Narayan Mukharjee.
" " " Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " " W. E. Crum, O.B.E.
" " " G. A. Bayley.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The Ayes being 7 and the Noes 22, the motion was lost.

AMENDMENT No. 21.

The Hon'ble Raja Hrishikesh Laha moved that the word "or" in line 3 of sub-clause (*2*) (*b*) of clause 8 be omitted and that at the end of that sub-clause the words "or of his being the sole bread-winner of his family" be added.

Babu S. N. Ray; Kumar Shib Shekhareswar Ray; Rai R. C. Pal Bahadur.

He said :—

"My Lord, as compulsory primary education is intended for the mass of the people who live from hand to mouth, precaution should be taken that compulsion does not act with great hardship upon them. The words 'domestic necessity' in this clause are indeed intended to cover such cases as the amendment proposes, but they are too vague to be given effect to in the practical administration of the law. It is better, therefore, that the circumstance implied by the amendment should be more clearly defined than left to be interpreted according to the uncertain comprehension of those who are authorised to administer the law. It is needless to say that the deletion of the words "or the" in the third line is necessitated by reason of the amendment I have submitted for your consideration."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I accept this, though I do not understand how a little boy can be the sole bread-winner of his family."

The motion was put and agreed to.

AMENDMENT No. 22.

The Hon'ble Kumar Shib Shekhareswar Ray moved that at the end of sub-clause (*2*) of clause 8 the following be added, namely :—

"(*d*) that the boy is not likely to stay within the Municipality for more than six months."

He said:—

"My Lord, sub-clause (*2*) of clause 8 makes several exceptions where a boy should be exempted from attending a school under compulsion. To them I propose to add that if a boy comes on a short visit to a place where compulsory education is in force, he too should be exempted from attending the local school. The object of this amendment is obvious : if the boy is going to stay there for a short while, it will do him no good if he is got hold of and put into the school. On the other hand it might interfere with the system of education which he might be undergoing at his permanent place of residence. There is also every possibility of this procedure being resented by his guardians. Now, take, for instance, a boy goes on a short visit to his uncle : it might not be always that a suitable teacher goes along with the boy. In this case if he is forced to take admission in the local municipal school, I am sure this action will be strongly resented by his guardian. I therefore hope that my amendment will be accepted."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accede to the request of the Hon'ble Kumar. Under this excuse the boy will be kept out of school for an indefinite period. The School Committee will be fully competent to deal with these and other cases by virtue of the discretion vested in them by clause 8, sub-section (*1*). Sub-clause (*2*) does not give an exhaustive list of 'reasonable excuses.' I am sorry I must oppose this amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, this question was raised in the Select Committee, if I remember aright; and I must say that the existing section gives sufficient grounds why the boy should not be admitted to the school in a place where he has gone temporarily. The School Committee will consider all these grounds. Further, we are all interested in the promotion of primary education. I think

that there should be a little compulsion as we know our countrymen; otherwise all sorts of excuses will be put forward. The Act will keep many openings or loopholes and there will be no end of excuses and the Act will be made nugatory and no one will come to these schools."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"My Lord, I find that my friends are not opposed to the spirit of my resolution. I do not see any reason why they should not make it explicit in the Act and exempt these boys."

The motion was then put and lost.

AMENDMENT No. 23.

The Hon'ble Raja Hrishikesh Laha moved that at the end of sub-clause (*2*) of clause 10 the following be inserted, namely :—"or may adjourn such hearing for adequate arrangements to be made for the efficient elementary education of the boy otherwise".

He said :—

"My Lord, there may be circumstances by reason of which it may not be possible for a guardian to willingly comply with the magisterial order when made. As, for instance, when the guardian should, for the time being, happen to be an illiterate and uneducated woman as is common in this country without any male member of the family at hand to advise and guide her or she may be arranging with some other individual, better circumstanced, for the proper education of the boy. It is to provide against such contingency and against any unnecessary hardship being inflicted on the guardian that I propose to confer upon the enquiring magistrate a discretion which I have no doubt he will always exercise with care and deliberation."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment. This amendment contemplates an alternative system of primary education which is not recognised by the Education Department to be permissive."

The motion was then put and lost.

AMENDMENT No. 24.

The Hon'ble Raja Hrishikesh Laha moved that after the words "section 10" in line 2 of sub-clause (*1*) of clause 11 the words "without any reasonable excuse" be inserted.

He said :—

"My Lord, in order to enable a guardian to submit a reasonable explanation why he has failed to comply with the order of the magistrate, I think the words 'without any reasonable excuse' should be inserted between 'section 10' and 'shall'. If the guardian has made proper arrangement for the education of the child in a village other than his own I think he should be allowed to submit a proper explanation and exempted from the payment of any fine."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry that I cannot accept this amendment. It will be found that on failure to obey an order it would be open to a guardian to take the plea that he had a reasonable excuse for such failure to obey. It should not be allowed."

The motion was then put and lost.

AMENDMENT No. 25.

The following motion which stood in the name of the Hon'ble Raja Hrishkesh Laha was, by leave of the President, withdrawn :—

To move that for the words "ten years" in line 3 of clause 12 the words "twelve years" be substituted.

AMENDMENT No. 26.

The Hon'ble Babu Ambika Charan Mazumdar moved that for the word "necessary" in lines 1 and 2 of the proviso to clause 12 the word "withheld" be substituted.

He said :—

"My Lord, unfortunately in this clause the discretion is left with the employer. I want to have the discretion vested in the School Committee, for if you say 'shall not be necessary', the employer will readily employ a boy who ought to be in school and then, when he is called upon to explain, he will say that it was not necessary for him, and he will fish up some excuse. Let us have instead of 'shall not be necessary,' 'it shall not be withheld,' that is to say that such a man must apply to the School Committee and say—'My employment of this boy will not interfere with his attending the school' and if the School Committee thinks that the excuse is a reasonable one, they will not withhold the permission. If you say 'shall not be necessary,' the employer will not go to the School Committee but will abrogate himself the discretion of deciding it. For these reasons I have moved this amendment."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment. If my Hon'ble friend, the mover, reads the clauses of the Bill, he will see that the Bill is more liberal. This amendment makes it obligatory on persons to apply for exemption, whereas the wording of the Bill does not lay down any such obligation. Under these circumstances I cannot accept this amendment."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I am surprised that the Hon'ble Member cannot accept this amendment. Because if you leave it to the discretion of the employer, he will always employ boys and then fish up some excuse that it does not interfere with their studies. But let him go first to the School Committee and show them before he employs the boy that such employment will not interfere with his studies. I think the power should be given to the School Committee and not left to the sweet pleasure of the employer. There is no question of being liberal, or illiberal, but if you mean to work the Act properly and if you want to make it succeed, you must give power to the School Committee and not leave the discretion to the employer in a matter of this kind."

Raja Hrishikesh Laha.

The motion was then put and a division was taken with the following result :—

Ayes—11.

The Hon'ble Sir Nilratan Sarkar, Kt.
,, ,, Mr. W. H. H. Arden-Wood, C.I.E.
,, ,, Raja Hrishikesh Laha, C.I.E.
,, ,, Kumar Shib Shekhareswar Ray.
,, ,, Rai Debender Chunder Ghose Bahadur.
,, ,, Rai Radha Charan Pal Bahadur.
,, ,, Mr. W. H. Phelps.
,, ,, Babu Akhil Chandra Datta.
,, ,, Rai Mahendra Chandra Mitra Bahadur.
,, ,, Babu Kishori Mohan Chaudhuri.
,, ,, Babu Ambika Charan Mazumdar.

Noes—17.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
,, ,, Major-General W. H. B. Robinson, C.B., I.M.S.
,, ,, Mr. J. Donald, C.I.E.
,, ,, Mr. L. S. S. O'Malley, C.I.E.
,, ,, Mr. M. C. McAlpin.
,, ,, Mr. F. A. A Cowley.
,, ,, Mr. C. H. Bompas, C.S.I.
,, ,, Mr. W. C. Wordsworth.
,, ,, Mr. S. G. Hart.
,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.
,, ,, Mr Provash Chunder Mitter, C.I.E.
,, ,, Mr. H. R. A. Irwin, C.I.E.
,, ,, Babu Surendra Nath Ray.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
,, ,, Mr. C. F. Payne.
,, ,, Rai Priya Nath Mukharji Bahadur, I.S.O.
,, ,, The Nawab Bahadur of Murshidabad.
,, ,, Mr. J. Mackenzie, O.B.E.
,, ,, Mr. Aminur Rahaman.
,, ,, Mr. L. V. N. Meares.
,, ,, Babu Siv Narayan Mukharji.
,, ,, Babu Brojendra Kishor Ray Chaudhuri.
,, ,, Mr. Arun Chandra Singha.
,, ,, Sir Deba Prosad Sarbadhikari, Kt., C.I.E.
,, ,, Mr. F. W. Carter, C.I.E., C.B.E.
,, ,, Mr. G. A. Bayley.
,, ,, Dr. Abdulla-ul-Mamun Suhrawardy.
,, ,, Maulvi Abul Kasem.
,, ,, Mr. M. Ashraf Ali Khan Chaudhuri.
,, ,, Maulvi A. K. Fazl-ul-Haq.
,, ,, Khan Sahib Aman Ali.
,, ,, Babu Bhabendra Chandra Ray.
,, ,, Mr. Altaf Ali.
,, ,, Mr. W. E. Crum, O.B.E.
,, ,, Rai Sri Nath Ray Bahadur.
,, ,, Babu Mahendra Nath Ray, C.I.E.
,, ,, Mr. K. B. Dutt.

The Ayes being 11 and the Noes 17, the motion was lost

AMENDMENT No. 27.

The Hon'ble Raja Hrishikesh Laha moved that for the words "twenty rupees" at the end of sub-clause (2) of clause 13 the words "five rupees" be substituted.

Babu S. N. Ray; Mr. P. C. Mitter; Maharajadhiraja Bahadur of Burdwan.

He said :—

"In order to protect the employer from deception, I move this amendment. It may happen that a boy really ten years of age, but fairly developed in physique so as to pass for a boy of twelve or thirteen years, is taken over to an employer for an employment. He is engaged under the *bona-fide* belief that he is twelve or thirteen—an age stated by the needy guardian of the boy. It may occur that on detection of the under-age of the boy engaged, the innocent employer is punished in spite of his *bona-fide* action based upon an apparently honest representation. Moreover, in my opinion, the limit of the fine is too high for the work-a-day man in Bengal. I would, therefore, reduce it to five rupees. This would be in consonance with what is inflicted upon the guardian under clause 11. There is no reason why the employer should be punished more heavily than the guardian himself."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment. This is only a maximum fine, which is fixed at Rs. 20, so that it will be within the discretion of the Court either to impose the maximum or any other fine that was necessary. That was the amount fixed in the original Bill, and the Select Committee saw no reason to reduce the amount, and for this reason I oppose the amendment."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I beg to support the Hon'ble Raja Hrishikesh Laha. We are going to have a new system, and I think we ought to accept the amendment. As it is, I think, the Bill will be unpopular, and if it is unpopular, it will be difficult to make it a success. On that ground I support the Hon'ble Raja Hrishikesh Laha."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I support the Hon'ble Member in charge of the Bill."

The motion was then put and a division was taken with the following result :—

Ayes—10.

The Hon'ble Sir Nihatan Sarkar, Kt.
,, ,, Raja Hrishikesh Laha, C.I.E.
,, ,, Mr. Provash Chunder Mitter, C.I.E.
,, ,, Kumar Shib Shekhareswar Ray.
,, ,, Rai Debender Chunder Ghose Bahadur.
,, ,, Rai Radha Charan Pal Bahadur.
,, ,, Babu Akhil Chandra Datta.
,, ,, Rai Mahendra Chandra Mitra Bahadur.
,, ,, Babu Kishori Mohan Chaudhuri.
,, ,, Babu Ambika Charan Mazumdar.

Noes—18.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
,, ,, Major-General W. H. B. Robinson, C.B., I.M.S.
,, ,, Mr. J. Donald, C.I.E.
,, ,, Mr. L. S. S. O'Malley, C.I.E.
,, ,, Mr. M. C. McAlpin.
,, ,, Mr F. A. A. Cowley.
,, ,, Mr. C. H. Bompas, C.S.I.
,, ,, Mr W. C. Wordsworth.
,, ,, Mr. S. G. Hart.
,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.
,, ,, Mr. W. H. H. Arden-Wood, C.I.E.
,, ,, Mr W. H. Phelps
,, ,, H. R. A. Irwin, C.I.E.
,, ,, Babu Surendra Nath Ray.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
" " Mr. C. F. Payne.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " the Nawab Bahadur of Murshidabad.
" " Mr. J. Mackenzie, O.B.E.
" " Mr. Aminur Rahman.
" " Mr. L. V. N. Meares.
" " Babu Siv Narayan Mukharji.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. W. E. Crum, O.B.E.
" " Mr. G. A. Bayley.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The Ayes being 10 and the Noes 18, the motion was lost.

AMENDMENT Nos. 28 AND 29.

The Hon'ble Kumar Shib Shekhareswar Ray moved (*1*) that for the word "satisfies" in line 5 of clause 18 the words "applies to" be substituted, and, (*2*) that for the words "the School Committee may determine" in line 9 of clause 18 the words "applied for by him" be substituted.

He said :—

"Amendments Nos. 28 and 29 stand in my name. They both refer to the same clause and are interdependent, and I therefore beg permission to move them together.

In my opinion compulsory education ought to be free for those whose guardians cannot afford to pay the cost of such education. An education cess is going to be imposed. On that account, it would be rather hard on the poor people if they have to pay the expenses of compulsory education of their boys in addition to the education cess. No self-respecting person would like to receive charity if he can afford to do without it. Whenever a man applies for a remission of the fee or any part thereof, it should be granted to him. I consider it rather humiliating to a person if he has to satisfy the School Committee by producing his account books that he is unable to pay the fees. A poor man's lot is bitter, why make it worse by adding humiliation to it. I would ask my colleagues to consider how distasteful the whole thing is likely to be, and I hope that my amendment will be accepted by the House."

Babu S. N. Ray; Mr. O'Malley; The President; Rai R. C. Pal Bahadur.

The Hon'ble Babu Surendra Nath Ray said :—

"I do not know whether my Hon'ble friend has seriously considered the effect of his amendment. The amendment would make it obligatory on the School Committee to reduce the rate whenever his guardian wishes to make an application. Simply putting in an application would be quite sufficient and then the effect of clause 23 would be that effect would have to be given to whatever the guardian says, and this would mean a reduction in fees. My Hon'ble friend says the guardian would feel it humiliating to produce account books, etc., to show his circumstances. It is sufficient for him to submit an application and make out a case for exemption of fees. As President of a School Committee I have to deal with applications once or twice a month, and specially in the month of January, when boys take their admission into school, and I find that those who can afford to pay either the whole amount or at least half the fee, generally come up with a prayer for total exemption and we have in many cases to reject these applications, and we find that these people do eventually pay half the fee. So I have some experience of these applications, and under the circumstances I cannot accede to my Hon'ble friend's request."

The Hon'ble Mr. O'Malley said :—

"My Lord, on behalf of Government I beg to support the Hon'ble Member in charge of the Bill both on the ground which he has stated and also on perhaps what may be called a formal ground, that the amendments are not very good English. The Hon'ble mover of the amendment wishes to have 'applies to the School Committee that he is unable to pay the fees' and again further down he would have 'at such reduced fees as applied for by him.' I think the amendments are open to serious objection. The power of determining in the case of free education and reduction of fees discretion must remain with the Committee. These amendments would take away that power and it would be sufficient merely for the parent or guardian to say 'I am a poor man'. He should be obliged to prove his poverty.

The motions were then put and lost.

AMENDMENTS Nos. 30 AND 31.

The following motions stood in the name of the Hon'ble Rai Debender Chunder Ghose Bahadur :—

To move that before clause 21B in Part IV of the Bill the following be inserted, namely :—

> "21AA. The Local Government shall contribute every year from the provincial revenues for the purposes of primary education within a municipality, not less than one-half of the cost budgetted for such expenditure by the commissioners."

If motion No. 30 be carried, also to move that for the words "any grant" in line 2 of sub-clause (*1*) of clause 21B the words "the grant" be substituted.

The President said :—

"Amendments 30 and 31. These two amendments are covered by the decisions already reached."

The motions were then, by leave of the President, withdrawn.

AMENDMENT No. 32.

The Hon'ble Rai Radha Charan Pal Bahadur moved that after the words "cost of" in line 3 of sub-clause (*1*) of clause 21B the word "compulsory" be inserted.

Babu S. N. Ray; Mr. Wordsworth; Babu Ambica Charan Mazumdar; Mr. O'Malley.

He said :—

"What I propose, my Lord, is this : educational cess should be levied for the cost of compulsory primary education. I need not reiterate what I have said. It is not necessary for me to speak at length on this subject. I have already said what I wished to say about this on a previous amendment."

The Hon'ble Babu Surendra Nath Ray said :—

"Speaking for myself, I have no objection, my Lord, to accepting this amendment."

The Hon'ble Mr. Wordsworth said :—

"I am unable on behalf of Government to recommend the acceptance of this amendment. We have already discussed the whole matter in relation to amendment No. 11 on the paper, and I have there indicated Government's inability to accept the proposal that an educational cess, if levied, shall be applied only to expenditure on compulsory education."

The motion was then put and lost.

AMENDMENT No. 33.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the words "education cess" in line 6 of sub-clause (*1*) of clause 218 the following be inserted, namely :—

> "and to be assessed according to the means and circumstances of the people residing or carrying on any business within the Municipality."

He said :—

"My Lord, this amendment refers to the assessment of the education cess, and I wish to indicate that the assessment should be according to the means and circumstances of the people residing or carrying on business within the municipality. The word 'occupation' used in the Municipal Act has become the source of many questions and difficulties, but here we may steer clear of all these difficulties, and I say that the assessment should be according to the means and circumstances of the people not only residing in the municipality, but also persons not actually residing in the municipality, but carrying on business within it. There are many people, well-to-do people, who do not generally reside within the limits of the municipality or near their business but just outside them; they do their business within the municipality and reside on their own property just outside, and I think it is only fair that these persons should be taxed and should be made responsible for this education cess. There are many people of this description, and they are very well-to-do people."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I wish I could accept this amendment, but I am sorry I cannot accept an assessment on the valuation of holdings and assessment according to the circumstances at one and the same place. This would be placing both the municipalities and the rate-payers in an anomalous position, and non-residents having business connection in the place would have to pay, so I cannot accept this amendment."

The Hon'ble Mr. O'Malley said :—

"My Lord, on behalf of Government I beg to support the Hon'ble Member in charge of the Bill, owing to the practical difficulty which such a provision would make in the working of the Bill. There are two chief sources of taxation in mufassil municipalities, one being a tax on occupiers' holdings

according to circumstances and property within the municipality, and the other a tax on buildings assessed at the rate of the annual value of the holdings. This amendment on the other hand would provide for assessment according to means and circumstances only, and I take it that where there was the rate on holdings, a personal tax would be levied and you would have to draw up an entirely different assessment which would be extremely difficult to do. You would introduce in effect another basis of taxation. Another difficulty which has occurred to me is that the form of the amendment is liable to some misinterpretation. The cess is to be assessed according to the means and circumstances of the people residing or carrying on any business within the municipality. Now, it is to be observed that this is an important innovation that the assessment must not be according to cirumstances and property within the municipality, but only according to means and circumstances. If a wealthy zemindar had a house in a town or a business firm had a small sub-agency in it, the zemindar or the firm might be liable to be assessed according to their whole income. It seems to me that it might have very serious consequences, because there is no minimum fixed, and there is no safeguard of any kind provided."

The Hon'ble Babu Ambica Charan Mazumdar said :—

"My Lord, I do not understand exactly what this Act is intended to be. There will be an education cess, and the legislature does not say a word as to how this will be levied, probably leaving it for the Government to make rules by which to impose a tax in a certain way. That, I consider, is an abdication of the functions of the legislature. To leave everything in the hands of the Government, simply requiring the Municipality to apply to Government and Government granting their application, and then the Government coming with its rules to levy the tax and to determine what form the taxation will take and upon whom it will be levied, this, I think, is a very large order upon the Government and I certainly on principle strongly oppose a measure of this kind which does not even undertake to say what would be the nature and effect of the taxation. Everything is, as I understand, left to be governed by rules. Practically therefore there are only two provisions, one for application, the other for taxation. And Government will do the rest : It can levy any taxation it pleases. If that is so ; there was no necessity for coming before the legislature for a measure of this kind. Why should not the Legislature indicate even the line upon which taxation will be made ?"

The motion was then put and a division was taken with the following result.

Ayes—8.

The Hon'ble Mr. Provash Chunder Mitter, C.I.E.
" " Kumar Shib Shekhareswar Ray.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—18.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Major-General W. H. B. Robinson, C.B., I.M.S.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Mr. C. H. Bompas, C.S.I.
" " Mr. W. C. Wordsworth.
" " Mr. S. G. Hart.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Sir Nilratan Sarkar, KT.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. W. H. Phelps.
" " Mr. H. R. A. Irwin, C.I.E.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
,, ,, Mr. C. F. Payne.
,, ,, Rai Priyanath Mukharji Bahadur, I.S.O.
,, ,, the Nawab Bahadur of Murshidabad.
,, ,, Mr. J. Mackenzie, O.B.E.
,, ,, Mr. Aminur Rahman.
,, ,, Raja Hrishikesh Laha, C.I.E.
,, ,, Mr. L. V. N. Meares.
,, ,, Babu Siv Narayan Mukharji.
,, ,, Babu Brojendra Kishor Ray Chaudhuri.
,, ,, Mr. Arun Chandra Singha.
,, ,, Sir Deba Prasad Sarbadhikari, KT., C.I.E.
,, ,, Mr. F. W. Carter, C.I.E., C.B.E.
,, ,, Mr. W. E. Crum, O.B.E.
,, ,, Mr. G. A. Bayley.
,, ,, Dr. Abdulla-al-Mamun Suhrawardy.
,, ,, Maulvi Abul Kasem.
,, ,, Mr. M. Ashraf Ali Khan Chaudhuri.
,, ,, Maulvi A. K. Faz-ul-Haq.
,, ,, Khan Sahib Aman Ali.
,, ,, Mr. Altaf Ali.
,, ,, Rai Srinath Ray Bahadur.
,, ,, Babu Surendra Nath Ray.
,, ,, Babu Mahendra Nath Ray, C.I.E.
,, ,, Mr. K. B. Dutt.
,, ,, Babu Bhabendra Chandra Ray.

The Ayes being 8 and the Noes 18, the motion was lost.

AMENDMENT No. 34.

The Hon'ble Rai Radha Charan Pal Bahadur moved that the words "whether voluntary or compulsory" in lines 8 and 9 of sub-clause (*1*) of clause 21B be omitted.

He said :—

"My Lord, I beg formally to move the above. At this time, I do not wish to trouble my friends by making a speech."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, speaking for myself I accept this amendment."

The Hon'ble Mr. Wordsworth said :—

"My Lord, on behalf of Government I am unable to accept this amendment."

The motion was then put and lost.

ADJOURNMENT.

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"My Lord, I have a submission to make. There are many orthodox Hindu members in this Council and as it is now past 6-30 P.M., it is time for our evening prayer. Moreover we have not taken a drop of water since 10 A.M. I beg that we may adjourn now."

The Council was then adjourned to Wednesday, the 19th February, 1919, at 11 A.M. at Government House.

A. M. HUTCHISON,

Secretary to the Government of Bengal and
Secretary to the Bengal Legislative Council (Offg.).

CALCUTTA,

The 10th March, 1919.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 19th February, 1919, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MAJOR-GENL. W. H. B. ROBINSON, C.B., I.M.S.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. C. H. BOMPAS, C.S.I.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. S. G. HART.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. J. MACKENZIE, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. W. E. CRUM, C.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LEGISLATIVE BUSINESS.

THE BENGAL PRIMARY EDUCATION BILL, 1919.

[The consideration of the amendments was resumed.]

AMENDMENT No. 35.

The Hon'ble Babu Ambica Charan Mazumdar moved that at the end of sub-clause (*1*) of clause 21B the following proviso be added, namely :—

> "Provided that the assessment of the cess upon any person shall in no case exceed one-tenth of the aggregate amount of tax or rate levied on him by the Municipality under the Bengal Municipal Act, 1884, or the Calcutta Municipal Act, 1899."

He said :—

"I have already lost my motion about the nature of the taxation to be imposed, and the persons from whom it is to be levied.

I wish to make it clear that the object of this amendment or rather the additional provision, is to point out very clearly to this Council the incidence

of taxation which will necessarily fall upon the municipal population. My Lord, in the case of municipalities the education cess will have to be borne mainly by those people who are paying municipal rates and taxes, but they are the very people who would be the least benefited by this enactment. For these people already pay for the education of their children, and I may say in every municipality there are about half a dozen schools of various grades and denominations, both for girls and boys to which these ratepayers of the municipalities already send their boys and girls, so that they do not want any new kind of school for the education of their children. They do educate their children, and they bear the burden of their education. Of course for the lower classes of people, namely, a few agriculturists, and their number is very small in a municipality, artisans and so forth, these people are prepared to make further sacrifices but we should not to run down a willing horse to death. Already the municipal ratepayers are heavily taxed, and if the bulk of the education cess is to fall upon them as it surely will, I think there ought to be a limit beyond which their resources ought not to be taxed. I have already indicated that by this Bill they are not benefited in the least, as they already educate their children. They are not willing to send their children to these schools, they are already in schools, invariably both the boys and girls, so I propose that where you assess the education cess in a municipality the assessment shall not exceed one-tenth of the aggregate amount of the tax or rate already paid by them, either under the Bengal Municipal Act in the mufassal, or under the Calcutta Municipal Act in Calcutta; otherwise the burden would be very heavy upon them, and it would be inequitable considering the fact that they do not want the application of this enactment in order to provide education for their children. If Your Excellency's Government were to take statistics, it would be found that almost the entire amount, I believe not even one per cent. of the tax already paid in the municipality, is borne by agriculturists or artisans. The entire bulk of the tax is to be paid by those for whom the tax is not intended, and who would not be benefited by the taxation. It is purely a tax on patriotism on their part to bear this burden for the benefit of the entire community, and I hope and trust that the Council will seriously consider whether it will be equitable for them to throw the bulk of this additional cess upon those very people who would be the least benefited."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I desire to support this amendment of the Hon'ble Babu Ambika Charan Mazumdar, but my reasons for supporting the amendment are somewhat different from the reasons of the Hon'ble Mover of the amendment. The main reason why I support this amendment is that 10 per cent. would be ample, more than ample, even when we have compulsory education. The total income of the mufassal municipalities in the year 1916-17 is Rs. 56,90,000 odd, that includes income other than income from rates and taxes. The total income from rates and taxes is 46 lakhs in all, so that 10 per cent. will amount to Rs. 4,60,000. The amount spent at present on primary education in municipal areas is Rs. 91,554. This is considerably in excess of the amount which was spent in the year 1915-16 which amounted to Rs. 72,902. Now, My Lord, the present Government contribution in the year 1916-17 was Rs. 44,000 and odd out of a total amount of Rs. 91,000 and odd. The Government contribution in the year 1916-17 was Rs. 31,000 and odd, and this again has been increased to Rs. 44,000 and odd, so that at the present moment the total amount spent by all the municipalities is Rs. 91,000 and odd. Out of that Government found Rs. 44,000 and odd, or very nearly half. Now, the total number of boys whom we wish to educate in the mufassal municipalities after compulsion is introduced will be 170,000. I do not know what the Government view with regard to this amendment will be, and for that reason I may be permitted to explain how I arrived at the figure 170,000. The total number of male children

within the ages of 5 to 10 is 3,065,000 for the whole province. Rough speaking, the total number of our population living in municipal areas is abo 3 millions including the town of Calcutta. The income I have indicated for the mufassal municipal towns only; the income for the town of Calcut is considerable. Now, out of our total of 3 millions, if we take on the san proportion, we find that the total number between 5 and 10 will 214,000 and odd. We have already settled that the ages of 6 and 10 w be the ages for compulsory education, therefore by a process of calculatio we have arrived at the figure of 170,000 whom we shall have to educat Now the present average cost is little over Rs. 3 on each boy. We sper altogether 37 lakhs of rupees and the total number of boys we educate is little over 11 lakhs, therefore the present average cost is a little over Rs. therefore the total cost will be somewhere near 5 lakhs of rupees, and I hav already stated at the beginning of my remarks that 10 per cent. mea Rs. 4,60,000, and if, over and above this we take into account Rs. 91,0 already spent in these municipalities without any education cess, the figure considerably more than 5 lakhs. Therefore it is not necessary to hav more than 10 per cent. even when compulsion is introduced. Now, it is of th highest importance that we should not scare away people, that we should n leave an impression to these municipalities that they will have to pay ve largely if primary education, especially compulsory primary education, is to b introduced. As I said yesterday, we must remember that these munic palities are mostly poor municipalities, and as these municipalities a mostly poor, and if 10 per cent. is enough to meet our requirements, submit, My Lord, that we ought to be content with that limit. If we p down that limit, we shall start with greater good-will which will hav a better effect upon the objects which we all have in view, whethe officials or non-officials, and for that reason also I strongly support th amendment of the Hon'ble Babu Ambika Charan Mazumdar."

The Hon'ble Babu Surendra Nath Ray said :—

"I am sorry, My Lord, I cannot accept the amendment. The result of th acceptance of this amendment would be that the incidence of taxation ma be heavy on the poor and light on the rich. I think these are matters to b dealt with by the rules. As I have said, it is the poor who will be taxe heavily, and I think it is a state of things which my Hon'ble friend wou be the first to cry against. The figures given by the Hon'ble Mr. Mitter ough not to be a guide in a case like this. It is not proper to work out on a aggregate of income of municipalities, and to come to a figure of 4 or 5 lakh The rate of taxation should be according to local needs and circumstances."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, may I be permitted to make a suggestion for the consideratio of the Hon'ble Member in charge.

I desire to make a suggestion for his consideration as well as for th consideration of Government and it is this. That instead of the amen ment as moved by the Hon'ble Babu Ambika Charan Mazumdar, if th resolution be amended with the leave of the Council to the effect that th total amount from each municipality will be 10 per cent. of the total amou of the rates and taxes, of that municipality it would be better. My object this : there is some force in what the Hon'ble Babu Surendra Nath Ray ha said that taxation ought not to fall on the poor heavily, so that if m suggestion be accepted, it will thus be open to make such necessary arrang ments so that the rich may be taxed more than 10 per cent. and the poor ma be allowed to escape with their present taxation."

Mr. O'Malley.

The Hon'ble Mr. O'Malley said :—

"My Lord, I must admit that I am in some doubt as to the exact meaning of the proviso which it is proposed to add to the Bill. As I read it provides for a maximum of one-tenth of the tax on the persons or the rate of holdings in different municipalities. The Hon'ble Mr. Mitter has taken it to mean the aggregate amount of all the different taxes or rates, but I am not quite sure whether that interpretation is correct, or whether it would be possible to take into consideration such things as the tax on professions and trades, water rate, conservancy fees, hackney carriage fees and so on. If I am right in thinking that it is intended to allow one-tenth of the tax on persons or the rate on holdings, I should point out this maximum is low compared with that contained in the Bihar and Orissa Bill which allows for at least one-third of the maximum tax or rate which can be imposed on the owners and occupiers of properties under the Bengal Municipal Act. The inherent difficulty about a maximum of 10 per cent. for each and every municipality is that we do not at present know what will be the total cost of putting primary education on a proper footing, and what share of the cost will be met from other sources such as fees and the Government grant. The Hon'ble Mr. Mitter has given certain estimates which do not altogether agree with estimates that have been prepared departmentally. According to these estimates, the cost of providing proper education for boys will be a capital cost of 17 lakhs, recurring cost 9 lakhs a year. Under a cheaper scheme, the capital cost will be 10 lakhs and the recurring cost 5 lakhs. The difference is considerable. It is partly due to the style of buildings which will be necessary and partly to the scale on which teachers would be remunerated. Under the cheaper scheme, for instance, the accommodation in some of the schools will be of a cheaper type,—mud walls, thatched roof—and the teachers will be paid on an average only Rs. 8 a month. Well, that is the estimate which has been prepared, but I am not at present prepared to say that that estimate would eventually be accepted. In any case, we do not know what money would be available in each municipality. Knowledge on this point will not be available till the estimate which is provided for in Part II of the Bill is obtained. It was on this account that both in the original Bill and in the Bill as revised in the Select Committee, the method of levying the cess is left to rules. As was pointed out by the Hon'ble Mr. Arden Wood yesterday, the Bill is an experiment and those charged with its administration must be allowed a certain amount of latitude. The Hon'ble Mover is inspired by an apprehension that the incidence of the cess may be excessive, and he therefore urges that a safeguard against a crushing impost is required. The procedure contemplated by the Bill, however, really guards against this. The Municipal Commissioners in making their estimate under Part II of the Bill will estimate the amount a cess will yield, and obviously they will consider at what rate the ratepayers can reasonably be expected to pay. A cess cannot be imposed except by the consent of the Municipal Commissioners themselves, and the Commissioners are not in the least likely to decide in favour of the cess unless they know the rate at which it will be levied and are satisfied that it is within the capacity of the ratepayers. The cess, in fact, will be a form of taxation by consent. Then again, if and when the Municipal Commissioners pass a resolution in favour of the cess, the public will have an opportunity of expressing their views, as section 21C specifically provides that the rules regulating the matter in which the cess is to be levied, shall only issue after previous publication. This means that a preliminary notification must issue, that any resident will have an opportunity of raising objections, and those objections must be considered by Government before the rules are finally issued. I can assure the Council that Government is not likely to agree to an excessive taxation both because it is the guardian of the people's interests, and also to put the case on a lower level because Government is a large ratepayer itself. This was pointed out in the municipal resolution, from which I may quote :—
'In the Presidency as a whole, altogether 5½ per cent. of the amount

realized from holdings, conservancy, lighting and water rates and taxes is paid for Government buildings. The payments represent in Darjeeling, Berhampore and Chittagong approximately one-twelfth, in Dacca one-eighth, and in Rampore-Boalia nearly one-fifth of the municipal receipts from these rates, which constitute the bulk of the income from taxation. These figures serve to illustrate the fact, which is not always realized by the municipalities themselves, that, apart from its position as a controlling authority, Government has a direct interest as a ratepayer in the purity and efficiency of municipal administration."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I feel some difficulty in supporting this amendment. I entirely endorse what was said by the Hon'ble Mr. Arden-Wood yesterday that in embarking upon a big experiment like this, we ought not at the outset handicap those charged with the carrying it out. In opposing this amendment I desire to take exception to some of the arguments advanced by its supporters. The Hon'ble the mover of the amendment has told us that we ought to be careful in letting alone those who are already paying for the education of their children, and that the taxation ought not to be very heavy in their case. My Lord, it is not exactly for services rendered—municipal services—as in the case of conservancy or lighting or street watering, that this cess is about to be levied, but it is for ensuring better civic life, to ensure better understanding of all-round rules of hygiene and sanitation that make municipal administration easier and for ensuring better citizenship, that this experiment is being undertaken, and it is exactly upon those who appreciate the blessings of education for these and other allied purposes and whose representatives have moved in the matter that the burden must necessarily fall heavier. It is improperly to subscribe to the proposition that because some are paying for the education of their own children already and are not likely to be benefited by the new scheme they should be left alone or at all events ought to be lightly taxed. If we are to have a successful experiment, it must, for some time at least, be the other way. Then with regard to the Hon'ble Mr. P. C. Mitter's figures, figures can be made to tell any tale ; I shall take the figures as he has put them and for the time being I shall not take Mr. O'Malley's explanation on them or their corrections. If his figures are correct, only $3\frac{1}{2}$ rupees per head was spent on primary education and if things are to continue on that basis the state of things would be a libel on education. We may have to put up with this state of things for a long time. But that must not be the basis of future organisation if we are not with the situation. Under the proposed scheme we shall be paying Rs. 8 to our teachers ; Rs. 8 is what we dare not offer to our menial servants now-a-days. My Lord, if education is to be on the basis put forward by the Hon'ble Mr. Mitter, I would much rather that we waited till we could do better and while so waiting took steps to provide teachers capable of conducting this important branch of education without which no other branch of education can possibly flourish. As has been pointed out the Municipal Commissioners who will practically be the masters of the situation are not likely to give themselves and their constituents away. Of course there is the other side to be considered. We must not scare away Municipal Commissioners, but we must realise the situation clearly and try to face it wisely yet boldly and not toy with it for the sake of name only and provide an organisation that will be a failure from the outset. If an important matter like this is to be introduced, it ought to be undertaken in all seriousness, and the Government and the municipalities for the time being ought to be left free to judge for themselves what will be the best for each locality."

Rai M. C. Mitra Bahadur ; The President ; Babu A. C. Mazumdar.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I desire to speak a few words on this very important subject. The question that has been raised is whether there should be a limit to the incidence of taxation by statute. On the one side, it is clearly admitted that there are no materials for limiting the incidence of taxation, and on the other side, it may be contended that those who live within the municipality believe that the burden of taxation is very heavy. Indeed, My Lord, I am going to endorse the latter view, because already those who live within the limits of municipalities are groaning under heavy taxation. It appears in many mufassal municipalities that the percentage has gone up 19, 21, 23 per cent., secondly, it is a matter of serious consideration whether the education cess should be left unlimited in scope. Therefore, is it not necessary that the Municipal Commissioners should be told that the increase ought not to be above certain limits? The figures which have been submitted by the Hon'ble Mr. Mitter show clearly what this view of the case is, and if that is so, why should it be left in its unlimited scope so that the Municipal Commissioners will be in a position to raise it as much as they like? I say this because the Council ought to consider the ability of the taxpayers in the mufassal municipalities to bear this tax. Those who live within the jurisdiction of the mufassal municipalities will certainly raise their voice in the Council against it.

Now, it is very easy to say that the ratepayers of the municipalities ought to educate their boys; but then again the question depends on their ability to do so and if they are unable to do, what should be the procedure? My Lord, having some experience in this matter, I have ventured to submit a few words for the consideration of the Hon'ble Members of the Council."

The President said :—

"Does the Hon'ble mover wish to make any further remarks?"

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, the figures given by my Hon'ble friend, Mr. P. C. Mitter, seem to me to be quite convincing: the figures given by the Hon'ble Mr. O'Malley also support it that there will be ample funds even with 10 per cent. to provide education for the poor. I do not think I need say much about it. Everything tends to show that there will be sufficient money for primary education with 10 per cent. of the existing municipal taxes. It is not a luxury but it is a necessity, and in providing for a necessity we ought not to go upon mere ideas and sentiments, but to consider the matter from the real practical point of view. It is easy enough for those who are rolling in wealth to say that we must pay any tax. Well, quite so, but there ought to be a limit to everything;—even to gushing sentiment and as the Hon'ble Mr. Mitter has pointed out, there will be no difficulty in carrying out this primary education even with 10 per cent. I do not see why the matter should be left indefinite and thereby create an apprehension in the minds of those who will be entrusted with the administration of the Act."

Babu A. C. Mazumdar.

The motion was then put and a division was taken with the following result :—

Ayes—11.

The Hon'ble Mr. Provash Chunder Mitter, C.I.E.
" " Kumar Shib Shekhareswar Ray.
" " Mr. Arun Chandra Singha
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Khan Sahib Aman Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—26.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I. K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Major-Genl W. H. B. Robinson, C.B. I.M.S.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Mr. C. H. Bompas, C.S.I.
" " Mr. W. C. Wordsworth.
" " Mr S. G. Hart.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Sir Nilratan Sarkar, Kt.
" " Mr. J. Mackenzie, O.B.E.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Mr. W. E. Crum, O.B.E.
" " Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" " Mr. W. H. Phelps.
" " Mr. G. A. Bayley.
" " Mr. H. R. A. Irwin, C.I.E.
" " Maulvi Abul Kasem.
" " Maulvi A. K. Fazl-ul-Haq.
" " Babu Surendra Nath Ray.

The following members were absent :—

The Hon'ble Mr. H. P. Duval.
" " Mr. C. F. Payne.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " The Nawab Bahadur of Murshidabad.
" " Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. L. V. N. Meares.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The Ayes being 11 and the Noes 26 the motion was lost.

AMENDMENT No. 36.

The Hon'ble Kumar Shib Shekhareswar Ray moved that at the end of sub-clause (*1*) of clause 21B the following be added, namely :—

"Provided that an education cess shall be levied only upon persons occupying holdings within the Municipality and that the rate of such cess shall in no case exceed three *per cent.* of the annual value of such holdings, nor shall the amount assessed upon any person in any one year be more than twenty-four

He said :—

"My Lord, the Hon'ble Babu Ambika Charan Mazumdar has already dwelt on the necessity of an explicit statutory provision for the manner in which the education cess is to be assessed. There is, however, some difference between his amendment and mine in respect of a suitable rate of assessment. What he wanted is already known to the House, and what I want is that only persons occupying holdings within the municipality are to be assessed and that the maximum rate of assessment is not to exceed 3 per cent. of the annual value of a man's holdings, and in no case he is to pay more than Rs. 24 *per annum* as education cess. I think that my amendment makes an adequate provision for the Education Fund. What my point is—and also that of my Hon'ble friend Babu A. C. Mazumdar—that there should be some definiteness as to the amount which we might be called upon to pay to meet the expenses of primary education. I do not like that we should be left altogether at the mercy of Government as to the amounts which we might be asked to contribute. The extreme vagueness about it is sure to make us uneasy and somewhat overcautious in advocating the cause of primary education. This is not only a matter which concerns the Indian middle classes but the zamindars, the mercantile community, the Government officials and even Your Excellency. The term 'Government,' would after the Reforms mean an Education Minister, who for sometime to come will have to obey the orders of that section of the public who are now very influential in the country though not the real representative of the people. Dictated by them he may lay down a rule that the senior partners of Messrs. Bird & Co. should pay a quarter of their income as education cess : he might make a rule that the zamindars should retain a certain sum for their expenses and pay the rest for education : and it might also be laid down that Your Excellency and the other Members of Your Excellency's Council should pay half of their salaries received by them. My Lord, the vagueness in the provisions would make all this possible. I hope therefore, that this vagueness and cause of uneasiness ought to be removed for the very success of the cause of education, and I hope that my amendment, because of its liberal provision, would be acceptable to the House."

The Hon'ble Sir R. N. Mookerjee said :—

"My Lord, several resolutions have been moved to limit the rate of assessment and taxes and to restrict the power of taxation ; but I have not heard a single voice in opposition to any such resolution. It seems to me that we forget that the assessment will be made by the Municipal Commissioners elected from amongst our own people for the education of our children and also that those Commissioners will themselves have to pay the taxes. Government will only have the power to veto or sanction. I therefore cannot understand why we cannot have confidence in our own people. If we lack confidence in ourselves, *i.e.*, our Municipal Commissioners elected from our own people, how can we in all propriety and consistency clamour for the Reform Scheme or Home Rule. Why should we take for granted that the Municipal Commissioners will not consider the circumstances of the people and their income before they fix the rate of taxation. The Bill for Primary Education has been brought forward by one of our colleagues and not by the Government and the administration of it is left to the people. I therefore fail to see the cause of this opposition thus discrediting our own people by showing want of confidence in their judgment. As regards the alleged apprehension of the Hon'ble mover in regard to the unfair assessment of European firms I can assure him that there is not a single European in this Chamber who shares his fear."

Babu S. N. Ray ; Maulvi Abul Kasem ; Mr. O'Malley ; The President.

The Hon'ble Babu Surendra Nath Ray said :—

My Lord, I am sorry I cannot accept this amendment. The educatio cess is proposed to be levied upon occupiers of holdings, leaving the owner free. This is an amendment which cannot be accepted. Again, the minimum fixed is 3 per cent. on the annual value of holdings, subject to a tota maximum of Rs. 24. The two may clash. Is the Hon'ble Member aware tha in the town of Calcutta there are several people—owners of houses—who hav to pay more than Rs. 10,000 as rates and taxes? Is it proper to exempt them from the education cess, or to levy only Rs. 24 from them? Is m Hon'ble friend aware that the Hon'ble Maharajadhiraja Bahadur of Burdwan pays nearly Rs. 35,000 in the shape of rates and taxes to the Calcutta Corporation, and will the Corporation, who will have to initiate primary education, be content to receive only Rs. 24 from the Hon'ble Maharajadhiraja Bahadur of Burdwan? I think this is a state of things which my Hon'ble friend will never think of. So, under these circumstances, I oppose this amendment."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, so far as this amendment is concerned, I am sorry tha I cannot agree with the Hon'ble mover. But I beg to propose, with You Excellency's permission, that, if this amendment is not acceptable to th House, the words 'nor shall.....be more than twenty-four rupees' b deleted from the end of this proviso."

The Hon'ble Mr. O'Malley said :—

"My Lord, on behalf of Government I am unable to recommend th Council that they should accept this amendment on the general groun that it is opposed to the system of municipal taxation in force in many of th municipalities in Bengal. In smaller towns a personal tax is imposed o the occupiers of holdings: elsewhere a rate on holdings is imposed on th owners. In Calcutta itself the consolidated rate is payable half by the owner and half by the occupiers. This amendment provides that the education cess shall be levied only upon occupiers and the owners are to be exempt; an I imagine that one result of this would be that landlords, often a wealthy class, would escape. There seems to be no valid reason why the landlords should be a privileged class."

The President said :—

"The Hon'ble Maulvi Abul Kasem ought to have given due notice o the amendment which he now proposes. I have, however, no objection t taking the sense of the Council upon this particular proposal. Under these circumstances the amendment moved by the Hon'ble Kumar and the proposed amendment to it now moved by the Hon'ble Maulvi Abul Kasem can b discussed together. I will then put the Hon'ble Maulvi's amendment t the amendment and afterwards I will put the main amendment."

The motion was then put in the following amended form and lost :—

That at the end of sub-clause (*1*) of clause 21B the following be added namely :—

"Provided that an education cess shall be levied only upon persons occupying holdings within the municipality and that the rate of such cess shall in no case exceed three *per cent.* of the annual value of such holdings."

Babu S. N. Ray ; Rai R. C. Pal Bahadur ; Maulvi Abul Kasem.

AMENDMENT No. 37.

The Hon'ble Kumar Shib Shekhereswar Ray moved that for the words "a majority" in line 4 of sub-clause (*2*) of clause 21B the words "three-fourths" be substituted.

He said :—

"My Lord, as it is, the clause lays down that at least one Commissioner in excess of half the total number of Commissioners should decide the matter of imposition of an education cess ; whereas I suggest that this should be done by a three-fourths majority. While I moved an amendment in respect of clause 21) yesterday, I explained to the House why I wanted a substantial majority in deciding questions of grave importance in our mufassal municipalities. I repeat again that conditions in our mufassal towns are not such as to justify decisions of far-reaching consequences by a bare majority. The conditions might change with the progress of education amongst the rate-payers, but the present is not the time when we could do without insisting on a substantial majority in such matters, especially when we are going to impose an education cess in order to finance voluntary education and not compulsory education. I, therefore, commend my amendment for the acceptance of the House."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I cannot accept this amendment and the reasons which I have already given in opposing my Hon'ble friend's amendment No. 16 are applicable to this case also. For those reasons, I oppose the amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, as far as I understand my friend, his amendment is that the education cess shall not be imposed unless the Commissioners, by a resolution, passed at a special general meeting convened for the purpose, and in favour of which a three-fourths majority of the total number of Commissioners have voted, shall determine to impose such a cess. I do not know why my Hon'ble friend in charge of the Bill is not agreeable to accept this amendment, because, in the Bill which was originally drafted, the two-thirds majority was inserted, but somehow or other owing to the wonderful transformation this Bill has undergone, that has escaped our attention : otherwise we would have insisted on the two-thirds majority being retained. I should personally be quite content if two-thirds majority were re-inserted here ; and therefore I support the motion of my Hon'ble friend the Kumar."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I rise just to oppose the motion of my Hon'ble friend the Kumar Shib S. R. He proposes that no cess can be levied unless three-fourths of the total number of Municipal Commissioners vote for it or ask for it. Practically, the result will be that if only a small number, say one-fourth, of the Municipal Commissioners want to stand in the way, they will be able successfully to do it by voting against it. I would personally like to have a substantial majority of 'two-thirds' but 'three-fourths' is a very high majority, and it will be very difficult to advance primary education if such a large majority is insisted upon."

The motion was then put and lost.

Babu S. N. Ray ; The President ; Mr. O'Malley ; Babu Kishori Mohan Chaudhuri.

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, if Your Excellency will allow, I have no objection to accept the two-thirds majority."

The President said :—

"The Hon'ble Member is too late : the question is already decided."

AMENDMENT No. 38.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that after the word "publication" in line 2 of sub-clause (*J*) of clause 21C the words "and after considering the views of the Commissioners" be inserted.

He said :—

"My Lord, by this amendment I simply want to make it obligatory upon the Government to consult the views of the Commissioners in framing rules As the clause stands, simply after previous publication the rules may be made ; but in a matter like this it is very desirable that the persons most concerned should be consulted on the proposed rules. That is the simple reason why I propose that after the word 'publication' the words 'and after considering the views of the Commissioners' should be added. This is a very simple matter and I hope on the part of Government there will be no objection."

The Hon'ble Mr. O'Malley said :—

"My Lord, I think the Hon'ble Member is under some misapprehension as to the necessity for the words which he proposes to insert. The words 'after previous publication' really make it necessary that any views which the Commissioners may express shall be considered. There is no specific provision to this effect, because it is a matter which is covered by section 24 of the General Clauses Act. That section lays down that the authority having power to make rules shall consider any objection or suggestion which may be received from any person with respect to the draft. Under the section, as it stands, therefore, there will be a preliminary notification, the views and criticisms of the public will be invited, and Government will consider any opinions received before the rules are confirmed. The words suggested by the Hon'ble mover would therefore be superfluous ; and I suggest that the motion might be withdrawn."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I could not follow the Hon'ble Member as to whether it is obligatory on Government."

The Hon'ble Mr. O'Malley said :—

"It means that Government shall consider the objections : it is obligatory upon Government. The words 'after previous publication' make it quite clear that objections will be carefully considered by Government."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 39.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that after clause 21D the following be inserted, namely :—

> "21DD. The Commissioners shall provide a separate primary school for the education of the children of the 'depressed classes', such as *Mehters*, *Muchis*, *Muddaforases*, *Haris* and *Chandals*."

He said :—

"My Lord, I do not wish to say anything more than this that there is a desire on the part of the boys of the depressed class to get themselves educated in the primary schools, and consequently it is necessary that some provision should be made for this when the Bill is going to be passed. On the one hand, we find that the *bhadralok* class object to have their boys educated with the boys of the depressed class. Now I have specified in my amendment that the Commissioners shall provide a separate primary school for the education of the children of *Muchis*, *Chamars*, etc. In order to give practical effect to the Bill it is necessary that separate classes should be established so that there will be no difficulty as was imagined by many, and at the same time to educate the boys of this class of people. Secondly, my prayer is that separate schools should be established for the purpose of educating the boys of this class. My Lord, I can say that there is a strong desire on the part of this class of the people to have their boys educated ; in fact, the other day there was an election in the Serampore Municipality and we found a *Chamar* coming forward to sit as a Municipal Commissioner. The election was a hard contested one, but he got many votes, and the voters themselves did not place any kind of repugnance in getting their man in as a Municipal Commissioner. My Lord, three years ago there was another election in a neighbouring municipality and a *Muchi* came forward as a candidate ; there was no objection at the time, and there was every chance of his being elected, but afterwards he had to retire under pressure of circumstances which I need not mention to the House. Five years ago there was another contest in a neighbouring municipality, and a *Chamar* was elected as a Municipal Commissioner. So far as the election went he was successful, but then he had to retire. These illustrations I submit to the Council for the purpose of showing that attempts ought to be made to educate the boys of this class, and I hope and trust that this amendment may be accepted by Government in its present form."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I am sorry that my Hon'ble friend Rai Mahendra Chandra Mitra Bahadur was ill-advised enough to move this amendment. I hope, My Lord, if a division be taken on this motion, my friend will be the solitary voter for his amendment. My Lord, if we really want to introduce primary education, if we really believe in the future of responsible government in this country an amendment like this, makes one almost despair of success of responsible government or primary education. Whatever happens to the amendment, My Lord, I would respectfully ask your Lordship to take a division on it, if not for any other purpose, only to show that the Indian members do not share the views of the Hon'ble Member."

The Hon'ble Kumar Shib Shekhereswar Ray said :—

"My Lord, I oppose the motion most strongly. I belong to a high class Brahmin family, and I may say that we have no objection to sending our boys to schools where children of the depressed classes are also admitted. As a matter of fact, My Lord, I was educated in the same school along with a *Namasudra* boy, and I may say that he is still one of my best friends."

Maulvi Abul Kasem ; Maulvi A. K. Fazl-ul Haq ; Babu S. N. Ray.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, we have talked and heard of retrograde measures, and I a sorry that a retrograde measure like this should have been brought before th Council by one of our best friends. We have been told of the depresse classes, and it certainly looks strange that anyone should object to h children being educated in the same school, sitting on the same bench a the children of the depressed classes, in these days. It is a matter of som gratification to me, and I am sure it must be so to a large section of m countrymen, both Hindus and Muhammadans, to learn that Kumar Shi Shekhareswar Ray, a representative of one of the most aristocratic familie in Bengal, is willing to send his children to a school to be educated wit *Chandal* boys and that one of his best friends is a *Namasudra*. The Hon'bl mover wants to make a distinction from the very earliest of our lives in th very primary schools, and I do not know where this distinction will cease when he admits that there is a great desire on the part of those people t receive education. That will in due time raise their aspirations and they wil want to be Municipal Commissioners, and I hope that when the time come and when they are fully educated they will come forward and claim to si in this very Council, and I am sure everyone of us will be glad to provid seats for them in this Council if they are fit for it. I hope that the goo sense of the Hon'ble mover will prevail, and that he will withdraw hi amendment."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"I need hardly say that I oppose this motion ; only, I am at a loss to find language strong enough in which to express my feelings. On the one hand, My Lord, I am anxious in so far as it in me lies to voice what I understand t be the general opinion of this Council, but on the other hand, my respect fo the age of the Hon'ble mover of this motion, restrains me from giving vent t my feelings at the present moment. I am saying all those things, because for the last few months we have been agitating not only here but also in England for the grant of responsible Government, and one of the most formidable oppositions which we have hitherto met, is the accusation which seems sometimes to be justified, that although we claim a larger and larger share in the administration of the country, we are not yet prepared to leave aside the prejudices which divide one community from another, and which renders the task of administration in India so very difficult for those to whom the task is entrusted. If a motion like this be carried in this Council, it would at once be telegraphed to the democracy in England, and I would ask my Hon'ble friend to consider what the effect of that telegraph is likely to be. Does he not think that by trying to separate the children by these methods, he will gain an advantage, if any, which I doubt will at all compare favourably with the great disservice he will be doing to the future of the country, by creating one more formidable gulf between the communities and detering the introduction of self-government in this country. My Lord, I do not wish to waste the time of this Council, but I feel so very strongly that it is useless for me to say anything further on this subject. I only wish with my Hon'ble friend Mr. Mitter that a division be taken on this point at least to show that my Hon'ble friend in spite of the respect we have for him, will find himself in the minority of one, so far as this particular motion is concerned."

The Hon'ble Babu Surendra Nath Ray said :—

"I am sorry I cannot accept this amendment, and the unanimity with which this amendment has been opposed show the feeling on the subject. It

is not clear to me as to what the Hon'ble Member exactly wishes to propose. Does he want that there should be separate schools for all the different classes for all the different castes that are generally known as the depressed classes, or only one school for what is known as the depressed classes. If it is the former, then I think it is not financially possible to start separate schools for *Pods, Bagdis, Taors, Namasudras, Mehters, Doms*, in every village or group of villages. If it be the latter, then I should request my friend to think if he has considered whether a *Pod* or even a *Bagdi* would drink water out of the same vessel with the son of a *Mehter* or a *Dom*. In fact, in Bengal there is no separate depressed class, except the *Mehters* and the *Doms*, and they are mostly imported from outside Bengal and their number is not sufficient to justify separate schools being formed. I may tell my Hon'ble friend that most of the so-called depressed classes have never found that the existing conditions have interfered with their education. I know there are *Namasudra* Deputy Magistrates and *Namasudra* Deputy Collectors, and even vakils of the High Court who must have read in colleges along with other boys of the higher castes. I may inform my Hon'ble friend that more than 25 years ago, in my native village of Behala where the majority of the people are Kulin Brahmins, no difficulty was found in admitting a *Namasudra* boy in the local English school, and that boy read along with my brothers. Every such difficult problem will have to be solved as they arise by the School Committee, by tact, by good sense and in a spirit of toleration. If this amendment be accepted, all I can say is that we are not fit for self-government."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"I had no desire, My Lord, to take part in killing of the slain. The Hon'ble Member in charge has paid the Hon'ble mover the compliment of taking his amendment seriously and has put forward arguments to show that if the amendment is accepted it would be impracticable in working. I am quite aware of the practical difficulties in our way and they have to be solved as they arise in quite a different fashion, so that all the diverging interests may be reconciled. That is not the reason of my opposing the objectionable amendment. Nor do I wish to oppose it because of the apprehension expressed by some that its success is likely to be telegraphed forthwith to the British democracy to the prejudice of the cause of Reforms that has been started of late. The Reforms are broader based than that and they would not be worth having if the British democracy, which has its own defects and weaknesses and foibles is to be allowed to dictate social reform such as it conceives to be desirable, as a *sine qua non*. My reasons are altogether different. I have often said elsewhere and I say it again with all the emphasis that I can command that it is a downright shortsighted policy to call really strong living useful and respectable sections of the community 'the depressed class.' If the amendment really stopped at the words about—opening schools for the depressed classes—I should have thought that my Hon'ble friend wanted separate schools for Brahmins and Kayasthas and those other classes who from a certain point of view really form the depressed classes of the day. The Hon'ble mover was also probably apprehensive of this likely and natural interpretation and that is why perhaps he has brought in qualifying words such as *Chamars, Muchis*, etc. My Lord, if this demand went further and if the University had to make arrangements for what is proposed in this amendment in connection with primary schools, what our difficulty would be has been already indicated. We have not attached any such consideration to stand in the way of the general advancement of the people and the enlargement of culture. But we have been foresighted enough to have teachers and professors in the University—belonging to the depressed classes—and we have made arrangements for Vedic teaching to the Muhammadans. This, My Lord, is the better mind of the country not because of the

apprehension of what the democary in England might think but because of the traditions of the land. I know my Hon'ble friend is a devout Vaishnava and as such he should not have forgotten the *shastric* dictum about চণ্ডালোপি দ্বিজশ্রেষ্ঠো হরিভক্তি পরায়ণ। He forgets the beautiful story of Satyakama who did not know who his father was. His mother told him and he repeated the story to his teacher that she did not know who his father was. The students revolted but the *guru* protested against such revolt and said that he must be a true Brahmin because he was truthful and he accepted Satyakama as a Brahmin. That much more that I could recount about Ramchandra and Sreekrishna represents the ancient tradition of the land that finds an echo to-day whatever may have been the intermediate lapses. This amendment will serve a useful purpose for the debate helps in bringing out the real mind of the country. The unanimous way in which the non-official members have pronounced their conviction that there is no caste rule so far as our educational institutions are concerned. I do not blame my Hon'ble friend. I fully approach the practical difficulties that he has probably in his mind and which must be surmounted. There was a time not long ago when even under the British rule neither my Hon'ble friend nor myself would have been admitted in the Sanskrit College. It did not however take long for a Kayastha to be Principal of that College. The older order thus giveth place to the new and onward progress cannot and must not be artificially retarded in the holy domains of culture and education. We have present in the Visitors' gallery to-day a distinguished educationist from the southern side of India Sir Siva Swamy Iyer. I hope he will not carry away from this Council the impression that Madras where the Panchama question is so much to the fore, is in advance of Bengal in this respect."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I wish to say a few words regarding this amendment. I find that there is a growing feeling here among the members of this Council against this amendment. My object in putting this amendment was that education should be spread to this class of the people. I limited the amendment to these words : 'such as *Muchis*, *Mehters*, etc.' It was far from my intention to exclude in this resolution other people of the depressed class. We found it difficult, My Lord, in the mufassal towns to allow Brahmin boys to be educated with *Mehters* and *Muchis*, consequently there was an idea in my mind to have separate schools for the purpose of educating boys of this class. In fact, I remember one instance when I got a *Mehter* boy admitted into a primary school, the result was that the Brahmins, Kayasthas and boys of other classes ran away from the place. So we find a great difficulty in the mufassal. I may say it was never my object to limit the progress of education among boys of these castes. Far from that.

The Hon'ble Maulvi Fazl-ul-Haq was very kind to me when he stated that he could have used strong language against me but for my age. He says he has respect for me and my age. I thank him for it. He must, however, admit the difficulty which we in the mufassal feel in this matter, and I therefore thought it necessary that provision should be made for the spread of education among boys of this class, and at the same time no objection should be raised to having separate schools for boys of these depressed classes. In that view of the matter I came forward with a resolution like this.

It was said by the Hon'ble Maulvi Fazl-ul-Huq that if an amendment like this is allowed in the Council it will be telegraphed to the British democratic party, but I am quite sure the British democratic party would have appreciated the spirit in which we are placed here. I appreciate the spirit of

spreading education amongst this class, so I wanted to have separate schools so that there could not be any difficulty in the way.

One Hon'ble member has said that he would have no objection to sending his boys to be educated amongst boys of this class. I congratulate him for this. But if he understood my object in bringing forward this amendment, he would not have accused me.

My Lord, when there is so much opposition amongst the non-official members of the Council, I think it necessary that I should withdraw this amendment, though my non-official friends can sympathise with me for putting it. I have explained the reasons which led me to come forward in the Council and move this amendment. It was with the sole reason that education may be spread amongst the depressed classes. With Your Excellency's permission, I shall withdraw the amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 40.

The Hon'ble Rai Radha Charan Pal Bahadur moved, that after the word "may" in line 4 of clause 21F the words "after reference to the Commissioners" be inserted.

He said :—

"My Lord I believe this is the last amendment and I fervently hope that this will not be a contentious one and will be accepted. I think that Government ordinarily consults Municipal Commissioners in matters like this but in order to avoid any dispute—so that there may be no misapprehension with regard to this—it is better to have a reference like that proposed in my amendment in the Statute book, that after consulting the Commissioners the notification may be withdrawn. I do not think that this will put the Government in any difficulty financial or otherwise. I see the Hon'ble Member in charge is smiling and so I have great hopes that he will accept this amendment."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I can accept my Hon'ble friend's amendment with this verbal modification—'After considering any explanation of the Commissioners.'

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I accept the modified form of my amendment."

The Hon'ble Mr. O'Malley said :—

"Government will also accept it.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

My Lord, I am very glad that my amendment has been accepted though in a modified form. This was the last amendment and it has ended as we say মধুরেণ সমাপয়েৎ।

Rai Radha Charan Pal Bahadur; Babu Ambika Charan Mazumdar; The President; Babu Surendra Nath Ray.

The amendment was then put in the following amended form and agreed to—

That after the word "may" in line 4 of clause 21F the words "after considering any explanation of the Commissioners."

The Hon'ble Babu Ambika Charan Mazumdar having got up to speak the President said :—

"Does the Hon'ble Member wish to rise to a point of order?"

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, it is with feelings of greatest regret that I rise to move that under rule 47 (2) of the Legislative Business rules I rise to object to the passing of this bill in the form in which it has been settled here."

The President said :—

"Order, order! The Hon'ble Member must wait till the motion for passing the Bill has been made. He cannot move that motion now. There is nothing to object to till the motion for passing the Bill is before the Council."

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble Babu Surendra Nath Ray to move that the Secretary be directed to renumber the clauses and sub-clauses of the Bill in consecutive order and to make corresponding alterations in all cross-references thereto.

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble Babu Surendra Nath Ray moved that the Bill, as settled in Council, be passed.

He said :—

"My Lord, in moving that the Bill may be passed I should like to say a few words.

The Bill received hearty welcome from your Lordship's Government when it was first introduced in the Council by me in September 1917. I had occasion at a previous stage of the Bill to refer to the speech of His Excellency the Viceroy at the Imperial Legislative Council in February 1918. He has again referred to the subject of primary education in the Imperial Legislative Council on the 6th of this month.

He said : 'I have already mentioned in this Council the Bill introduced by the Hon'ble Mr. Patel to enable district municipalities in Bombay to adopt, with the sanction of the Local Government, compulsory elementary education for children. That Bill has now become law and I am glad to see that the Government of Bombay propose to behave in a liberal manner to any municipality which desires and is able to adopt its provisions. I have already given my assent to a Bill of a similar nature but of wider application in Bihar and

Orissa, and other Bills are either awaiting introduction or have arrived at various stages in the process of legislation.' It will therefore appear that His Excellency the Viceroy views with approval the attitude of the Bombay Government towards the measure. The question of extension of primary education has been before Government for a long time. So far back as the year 1906, the Government of India (then under Lord Curzon) was considering the desirability of introducing free primary education throughout India as will be evident from the following letter of Sir Herbert Risley to the Local Governments.

He wrote : 'If the Government of India have never declared that universal primary education is the aim in view, yet the whole spirit of their declarations has been in favour of the fullest possible provision of primary schools. To insist upon the permanent retention of fees is manifestly incompatible not only with universal school attendance but with anything that approaches to it. They would therefore desire to abolish fees as soon as the finances of the country permit Government to increase the funds available for primary education to such an extent as to counteract the loss of income which would thereby fall upon these schools. The Governor-General in Council hopes that this time has now arrived, but he desires to examine the question in the light of the replies to the inquiries made in this letter regarding the cost of the scheme.'

I believe some of the local Governments opposed free primary education and the desire of Lord Curzon to have free primary education throughout the length and breadth of the country was frustrated. Now that the Bill is about to be passed and is to be an Act, I have to state again for your Lordship's consideration that this measure of primary education will be a dead letter unless it has the full support of Government and unless the Government will aid this measure by substantial financial assistance. The other day when the Bombay municipalities wanted the Bombay Government to contribute one-third of the expenses towards the cost of primary education, His Excellency the Governor of Bombay assured them that the Government would be prepared to bear half the expenditure. The mere fact of the passing of this Bill will mean nothing. The non-official members of this Council hope that Your Excellency's Government may be pleased to make a statement as to how far Government are prepared to help local bodies financially in spreading education. It will be an index of the earnestness of the Government on the subject and will be received with satisfaction by the people of this country.

My Lord, the Bill has undergone changes in the Select Committee, and I have every reason to believe that if the provisions of the Bill be properly and strictly enforced, it will be the sure means of spreading education among the masses and of infusing a new life into them. Knowledge is power. The illiterate masses will, with the spread of education, be one day a power in the land, and the hitherto dumb-driven cattle will be heroes in the strife of social and economical development of this country."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, it is with a feeling of the deepest regret that I rise to object, under rule 47, clause 2, to the passing of the Bill in the present form. My regret is due, *firstly*, to the fact that I think that it is more than 20 years ago when I had been not only thinking but talking of primary education being made compulsory throughout the country. It was one of the earliest dreams of my life to see that my ignorant countrymen who are now lying low in the scale of society might be elevated and that their fortune might be brightened by education. Now to find myself somewhat disappointed in that hope is my first regret. The second reason for my regret is that I have to oppose a Bill

which is a private measure and perhaps the very first of its kind; but a sense of duty compels me to raise my voice against the measure which, to my mind, does not satisfy the requirements of the people and which, I apprehend, will prove a failure in attaining the object for which it is intended. As regards my opposing the Bill which has been brought forward by my esteemed friend to the left, it is some consolation, though a very poor consolation, to me, to find that the Bill of which he was the father was exactly the sort of Bill which I had always wished to see in this Council, but this Bill has been 'transformed' in the words of my hon'ble friend Rai Radha Charan Pal Bahadur 'almost beyond recognition'. With these few observations, I base my objection upon the following considerations. That having regard to the fact that primary education is not made compulsory and that at the same time the Bill proposes to levy an education cess without making such education free: that having regard to the fact that the nature of education to be imparted under this Act is left entirely in the hands of the Education Department which has so far exhibited no very remarkable tendency to extend primary education in the name of supervision and efficiency: that having regard to the fact that Government is unwilling to commit itself even to a modest contribution towards the expenses of such education: that having regard to the fact that the levying of the cess, its nature and incidence, is entirely left to Government without even indicating the line on which it is to proceed—and thereby this Council has practically in my opinion abdicated its proper function; I feel constrained to object to the passing of this Bill in its present form. I know of no law passed up to this time bearing on any cess, *e.g.* the Municipal Act, the Local Self-Government Act, the Income-Tax Act—being so framed by the Legislature as not to indicate even the nature of a tax; and I think no Act has up to this time left it to the rules of Government to indicate the nature as well as the incidence of any tax.

My hon'ble friend Sir R. N. Mookerjee, for whom I always hold the highest estimation, tells us that we are not to distrust our own men and that we might be perfectly content with this tax being levied by our own men, namely, the Municipal Commissioners. He will pardon me if I tell him that it is not exactly so. The Municipal Commissioners will be the conduit pipe of certain rules to be framed by Government and they will have to be guided exactly by these rules. Whatever they may be, I have tried my best to indicate the line on which the tax ought to proceed, but in my attempt I have signally failed.

There is another consideration, My Lord, namely, that the Bill as settled in Council is not likely very much to expand and improve primary education, but only to burden the people with an additional tax, the weight of which may not be so much felt by those of us who are in the metropolis, but which will surely be the last straw on the camel's back on many a municipality in the mufassal. We will be quite willing to bear this burden if we could only have understood what would be the nature of this tax, what would be the incidence and how this tax would be utilised in really expanding and improving the primary education, and we would have been still more glad to know that Government was going to stretch out its helping hand in a substantial measure, but in all this we have failed. I submit that the Bill be not passed now and we may wait for better times and press for a Bill like this for which we have tried so hard and so incessantly for the last few years. The Bill was welcomed by us and we thought that it was going to be a blessing; but at the last moment it has been sprung upon us in a form and shape in which I may almost say—like prophet Balaam who was asked to bless the people—'it has come only to curse them.' With these remarks and without prolonging my argument on this point, I ask Your Excellency's ruling under clause (*2*) of rule 47, so that this Bill may not be passed now."

The President ; Babu Ambika Charan Mazumdar ; Babu Surendra Nath Ray.

The President said :—

"I understand that the Hon'ble Member objects to the Bill being further proceeded with to-day. The arguments which he has adduced in this speech so far have been directed against the merits of the Bill and not against proceeding with it to-day. The rule to which the Hon'ble Member refers gives any Hon'ble Member of this Council the right of objecting to a Bill being further proceeded with if amendments have been made to the Bill. It also gives the President the right of rejecting the objection if he thinks fit. In considering whether an objection of this kind should be accepted or not, I should naturally be influenced by two things—*firstly*, whether the amendments made in the Bill were of such a character as to make any substantial change in the matter of the Bill. If the amendments made in the Bill were limited to verbal alterations, I should not regard that as sufficient reason for accepting the objection to proceeding with the Bill forthwith. The other thing by which I should be influenced would be the extent of the opposition in the Council to the measure being proceeded with. In order to ascertain that I have the right of asking any Hon'ble Member who wishes to object to the Bill being further proceeded with to-day to show me by holding up his hand. But before I ask the Hon'ble Members to do that, I should like to hear from the hon'ble mover of the Bill what he has to say in reply to the objection.

If, however, the Hon'ble Babu Ambika Charan Mazumdar wishes to put forward a further argument in favour of his objection to proceeding with the Bill I would be very glad to hear him before the Hon'ble Babu Surendra Nath Ray replies.'

The Hon'ble Babu Ambika Charan Mazumdar said :—

"Your Excellency, my object in bringing forward this motion is that some time may be allowed and then some of these considerations which I have enumerated in my objection might influence the Council to consider the matter further; and at a future meeting probably they might give these points a fair consideration. I have enumerated one after another the salient points upon which I base my objection. I think that if some time were given and this matter were brought up at a future meeting, Hon'ble Members would have, under the rules, to debate on some of these points, and then probably there may be some change in this matter, and that is the reason why I have put forward this motion."

The President said :—

"I think it is right that I should point out to the Council that if the Bill is not proceeded with to-day and it comes up for further consideration at a future meeting, it will not be in order for any Hon'ble Member to move any of the amendments which have already been decided by the Council during yesterday and to-day. It would only be open to Hon'ble Members to bring forward different amendments. I think the Hon'ble Members understand that."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"Yes, My Lord."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I have to oppose this motion of my hon'ble and esteemed friend, Babu Ambika Charan Mazumdar. My friend, Hon'ble Maulvi Fazl-ul-Huq, said yesterday that Indians want delay in all matters.

It is one of the traits in their character. But we all know that this question, the question of educating the masses has been before the public at least since the year 1906, if not earlier. The Congress, public men from the platform, and the Press have been incessantly crying for nearly a quarter of a century for mass education and now that the time has arrived for the passing of the Bill, my friend comes forward with a motion for the postponement of the measure. All these speeches from the platform—all these writings from the Press would be considered as cant. I can very well understand the enemies of Indian progress coming forward to make such a motion as this; but what has taken me by surprise is that an enlightened gentleman like my hon'ble and esteemed friend should come forward with such a motion. We are trying to have self-government at no distant day, but we cannot say that we are properly fit for self-government unless the masses of our people are educated. And my friend wants to put on the day when education will make a headway in the country. The country had this Bill before it for nearly 18 months and opinions have been received from public bodies, from officials and non-officials and there has been almost unanimity of feeling on the subject of primary education, viz., that steps should be taken to expand it. No doubt, there have been some changes and radical changes in the Bill in the Select Committee; but the underlying principle of the Bill is that we should take early steps to spread education among the masses. That principle has not been touched at all by the Select Committee; if that be the case, I really cannot understand the motive of my friend in making this objection. If the Bill had been passed as it was originally framed by me much of the work in connection with the Bill would have been left to the Education Department. The same powers and nothing more are now to be left by the Bill as it has now emerged from the Select Committee to the Education Department.

The Reforms Scheme may come into operation in another 18 months and primary education will be in the hands of the Ministers. The experience of the working of the Bill for these 18 months will stand us in good stead, so that if the provisions of the Bill be found to be unworkable there will be time enough to bring forward amendments."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I am really sorry that my hon'ble friend, Babu Ambika Charan Mazumdar, has made this motion : and giving all considerations to the arguments advanced by him I fail to see any substance in those arguments. I say this with the greatest possible respect to my hon'ble friend. His main objection seems to be that primary education has not been made free and yet an education cess has been imposed. Another objection which really centres round the question of the imposition of an education cess is that there is no indication as to the limitation of taxation and that is only left to the rules of Government. It seems to me, My Lord, that his objections are really based upon some misapprehension of section 21B of this Bill. Undoubtedly clause (3) of section 21B says that the education cess shall be levied in such a manner as may be prescribed by rules made by the Local Government : but clause (1) of that section makes it abundantly clear that it is the Commissioners who, with the previous sanction of the Local Government, will be able to impose a tax called education cess, because clause (1) of 21B says that if the existing resources of any municipality, including any grant from Government, are not sufficient to cover the cost of primary education within the municipality, the Commissioners may, with the previous sanction of the Local Government, impose a tax to be called an education cess, and all amounts derived therefrom shall be devoted solely to the purpose of primary education. That makes it quite clear that the initiative

must come from the Commissioners. It makes it equally clear that the whole of the amount levied as education cess must be devoted for the purpose of primary education. That being so, I fail to see the point in the Hon'ble Member's argument that primary education has not been made free and yet an education cess has been imposed. If primary education is not made free, every pice which is raised by the education cess will be spent for the benefit of primary education, and furthermore, as my Hon'ble friend Sir R. N. Mookerjee has pointed out, it will be our own countrymen—the Municipal Commissioners whose Municipalities will be affected and with whom the initiative will lie. My friend the Hon'ble Babu Ambika Charan Mazumdar's reply to that seems to me to be not convincing at any rate, because that reply implies a confusion of the provisions of clause (3) of section 21B and clause (1) of section 21B. Clause (1) of section 21B, as I have already said, makes it abundantly clear that the initiative lies with the Municipal Commissioners. If the Commissioners of a particular municipality find that that municipality is too poor to take advantage of the provisions of the Bill then there is no compulsion, and if there is no compulsion how does any question of the rules of Government to be framed under clause (3) come in?—I fail to see. My Lord, we have been discussing the question of primary education for years past: other provinces have introduced Bills and should Bengal lag behind? My Lord, without the advantage of a Bill for primary education we in Bengal are more forward in the matter of education than any other province—our total number of literates is much higher than the number of literates in any other province and it is axiomatic, as the late Mr. Gokhale laid down time after time, that the proper time for introducing compulsory primary education comes when there is at least one-third literacy in the land. I am able to tell the Council that we have more than attained this standard so far as the adult male population is concerned, although if you take the female population we have not come up to that standard. Therefore, My Lord, I say the time is ripe. Here is a Bill, to which many of us—both officials and non-officials—have given our time, and our thought, and what purpose will be secured by putting it off? As the Hon'ble Member in charge of the Bill has submitted to the Council, the Reforms Scheme will certainly make primary education a department of the Minister, and it will be a gain that we shall have the advantage of the administration of the Bill by the present Government department before the Indian Minister comes in. For all these reasons, I am against the motion of my hon'ble friend, Babu Ambika Charan Mazumdar."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I rise to support the objection raised by the Hon'ble Babu Ambika Charan Mazumdar and my reasons are these. The prolonged debate and the hurried discussion of these two days has proved beyond doubt that there are some questions involved in the Bill which are highly controversial. One may agree or disagree with the decisions we have arrived at on the various vital questions involved in the amendments on the agenda. But in all fairness, it must be conceded by all that the matter is highly controversial—that is one fact. However, the mere fact that the matter is highly controversial is in itself not certainly a ground for asking Your Excellency not to proceed with the Bill at this meeting. There is another ground, and a very important ground, which is this; that there is a feeling that the original Bill has now been transformed almost beyond recognition. The third fact is this that these alterations are not on mere details but on substantial and material aspects of the Bill. In view of these facts, My Lord, the question arises whether it is not fair to give the public an opportunity to express their opinion upon the provisions of the Bill as they now stand."

The President ; Babu Akhil Chandra Datta ; Babu Kishori Mohan Chaudh

The President said :—

"Order ! Order ! The Hon'ble Member is going entirely beyond rule (The Hon'ble Member must resume his seat when I rise.) The argume which the Hon'ble Member has now adduced relate to the matter of referr the Bill for public opinion. The Hon'ble Member could have moved a mot of this kind before the Bill was taken into consideration ; but as he has done so, he can not adduce arguments in favour of such a motion now. It now too late for him to do so."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, with Your Excellency's permission I am submitting ar ments in support of the objection that has been raised by my hon'ble frie Babu Ambika Charan Mazumdar under clause (2) of rule 47."

The President said :—

"The Hon'ble Member refers to the amendments passed in Sel Committee. If the Hon'ble Member wished to refer the Bill back either the Select Committee or to the public, because alterations had been made the Select Committee, he ought to have moved his motion before the Bill v taken into consideration, in precisely the same way as the Hon'ble Mau Faz-ul-Huq did in the case of the Village Self-Government Bill. He can adduce arguments now in favour of a procedure of that kind. It is now late. The only effect of my accepting the objection will be that instead of t Bill being passed to-day it will be passed at the next meeting of the Coun That will be the only effect."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, that is beside my point. I am not opposing the passing of t whole Bill ; I am not also moving for adjournment. What I simply want that it may be adjourned to another meeting under clause 47(*2*). This is t whole objection ; nothing more than that."

The President said :—

"But the Hon'ble Member has not yet brought forward any argume in favour of that course which appeals to me. Has the Hon'ble Mem any valid argument in favour of that course? I think perhaps it will sa time if I ascertain whether there is any strong feeling against proceedi with the Bill. Will those Hon'ble Members who object to the Bill bei proceeded with further to-day hold up their hands ?

* * * * *

Well, six Hon'ble Members object. Under these cirumstances I a prepared to accept the objection."

LIST OF BUSINESS—ITEM No. 14.

RESOLUTION.

(*Under the rules for the discussion of matters of general public interest.*)

The Hon'ble Babu Kishori Mohan Chaudhuri moved the followi resolution :—

"This Council recommends to the Governor in Council that the reco mendations of the Public Services Commission and the Government propos thereon be discussed in this Council before they are given effect to."

Sir Henry Wheeler.

He said:—

"My Lord, I do not wish to say much on this subject regarding the recommendations of the Public Services Commission. They are in the nature of proposals for reform in the various services of public administration of the country, and affect also provincial finances. It is therefore desirable that before any effect is given to the Government proposals public opinion should be invited from interested persons and public bodies would also, I hope, like to submit their opinions on these proposals. It is very desirable that these things should be discussed at a meeting which will afford the members an opportunity to see in what way these Government proposals are received by the public. Government will also have an opportunity of explaining in what way they have received public criticism. With that object in view I have brought forward this resolution for the acceptance of Your Excellency's Government, and I hope that, as in the case of other reform proposals, these proposals should also be discussed in Council before they are given effect to. Therefore I hope an opportunity will be given, and I humbly submit the resolution for the consideration of the House and for their acceptance."

The Hon'ble Sir Henry Wheeler said:—

"My Lord, before proceeding to examine exactly what the resolution asks for, I would like to remind the Council of what has transpired, previous to this date, by way of assurances given by Government regarding the consultation of public opinion on the recommendations of the Public Services Commission. After the report was published, this point—that the public should have an opportunity of making themselves heard—not unnaturally attracted attention, and it was in fact mooted in the Imperial Legislative Council on the 7th March 1917, when the Government of India were asked to make a statement and replied that they had no doubt that Local Governments would be careful to ascertain non-official opinion (including that of representative Indians) where such consultation would be of assistance, though they thought that the occasion and method of that consultation might safely be left to each Local Government's discretion. The point was again raised by a question in this Council on the 3rd July 1917, and an answer was given to the effect that the Governor in Council had every intention of giving public opinion an opportunity of expressing itself, but had decided to defer formal reference until after a communication promised by the Government of India. That communication, as the Council will remember, was in pursuance of the original idea that, after a preliminary examination of the general principles underlying the Report, the Government of India would try and lay down broad lines upon which subsequent discussion should proceed. That is what we promised to do on behalf of the Local Government and it is on these lines that we are working. There were two courses open to us, one of which was far more helpful to the public than the other. On receipt of the report of the Public Services Commission, we could have thrown it before the public and said: 'Here are the recommendations; if you have got anything to say about them, you had better say it now.' That would have made it extremely difficult for the public to follow the various points involved, and might merely have resulted in a repetition of the evidence given before the Public Services Commission. We therefore discarded that plan, and according as views crystalized in respect of individual services, we have endeavoured to put out well-balanced and non-committal resolutions, explaining what the recommendations of the Public Services Commission in connection with each particular service were, what the arguments are on either side, what considerations were accepted as valid in the past, and what consideration might weigh on either side in the future. That method concentrates the attention of the public on the particular

service under discussion, puts them in possession of a certain amount of information about it of which, possibly, they were not previously aware, and it gets the whole thing on to a manageable basis. We have already done this in connection with the Police Service and the Subordinate Judicial Service, and in to-day's *Gazette* there appeared a short Resolution regarding some not very important questions relating to the Excise Department. Very shortly there will be a similar resolution about the Forest Service and the Indian Civil Service. The other services will no doubt come up hereafter for similar treatment on these lines, while the matter of the Educational Service was considered by a special committee. That is what we have done, and are doing, and it will be seen that we have afforded ample opportunity to public opinion to make itself heard, and have endeavoured to provide facilities for its formulation.

In the actual resolution which has just been moved there are really three points, and I will take them up separately. The first proposal is that the recommendations of the Public Services Commission should be discussed in this Council before they are given effect to, but such a course does not require the authority of this resolution because, even as things stand, it is open to any Hon'ble Member, providing he observes the rules, to move a resolution relative to those recommendations for discussion in Council. The matter must then come up for discussion and different views can be expressed. Therefore, to that extent, there is nothing that requires the acceptance of this particular resolution, which is superfluous. But there are two other points which the resolution raises and which, on the merits, I am not prepared to accept. The first asks that the proposals of the Local Government should be discussed in this Council. Now what is the constitutional position? We have these recommendations referred to us by the Government of India for opinion, and we, in our turn, put them before the public for opinion. We thus collect material useful to Government, and on that material we submit our views to the Government of India. They, in their turn, scrutinise them along with other opinions from other provinces, if the matter is one which concerns all India, and if a decision is beyond their competence they refer their proposals to the Secretary of State with whom, eventually, the final authority lies. That is the ordinary constitutional position, and it would be quite inappropriate that this Local Government should come before the Council and say 'Before we send this letter to the Government of India, we wish to have the opinion of the Council upon it.' The proper time for an expression of public opinion is when the matter is put before the public.

The third point is even more open to objection, and I think that even the Hon'ble Member must admit that we could not agree that the recommendations of the Public Services Commission should come up for discussion before this Council before effect is given to them. As I have just explained, all major proposals in connection with each of the public services must receive the approval of the Secretary of State or the Government of India, as the case may be, but it would be quite impossible for us, after we had got the orders of the Secretary of State, not to give effect to them till the opinion of the Council was received.

For these reasons I cannot accept this resolution, though I cannot help feeling that what is really in the Hon'ble Member's mind is that there should, at some time, be a discussion in this Council on these recommendations. But if he thinks for a moment, he will find that it is already within his compass to give notice of any resolution which he desires to move in this connection and which complies with the rules."

Babu Kishori Mohan Chaudhuri: Babu Surendra Nath Ray.

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, the only difficulty which I feel in discussing the question is that the suggestion is that any Hon'ble Member may submit his views when public opinion is invited, but there the difficulty is that we will only get individual opinion, but if it is discussed at a meeting of this Council then our views may also be submitted to the Government of India along with the views of the Local Government and also to the Secretary of State. My idea is that the result of the discussion may be communicated as was done in the case of the Reform proposals. If the question is discussed here, the advantage is that with the recommendations of the Public Services Commission, the Government proposals, as well as the opinion of public bodies and the persons most interested all will sent together and matured consideration may be given to the subject under discussion. My contention is that it is not possible for us to express an opinion simply on the recommendations of the Public Services Commission, without an explanation of the views of Government and also public bodies, and so they can only be discussed in a public meeting of this Council. I have brought forward this resolution so that we may have facilities for submitting our matured views upon those recommendations, and if Government is in sympathy with this proposal there is no difficulty about it. That will also give the Government and other members to know what the public opinion is on this matter. All I desire is that Government when submitting their opinion will also send the opinions of various public bodies as well as the discussions of this Council, and I hope that this may be accepted, and there will be no objection."

The resolution was then put and lost.

LIST OF BUSINESS—ITEM NO. 15.

The Hon'ble Babu Surendra Nath Ray moved the following resolution :—

"This Council recommends to the Governor in Council that a Committee, consisting of official and non-official members of this Council, be appointed to consider the question of the reorganization of the judicial branch of the Provincial Civil Service, in the light of—

(*a*) the recommendations made in this behalf by the Public Services Commission ;

(*b*) the Government Resolution No. 6279A., dated the 19th November, 1918 ;

(*c*) the opinion of the Hon'ble High Court referred to in the Government Resolution ; and

(*d*) such expressions of opinions and resolutions as may have been received by Government on the said Government Resolution."

He said :—

"On the 20th November last Your Lordship's Government was pleased to publish a Resolution on the Report of the Public Services Commission regarding the organisation, recruitment, probation, training and the pay and prospects generally of the members of the Provincial Judicial Service and to invite opinion on those points. Your Lordship's Government was pleased to appoint a committee some time ago to consider the prospects of the members of the Education Department. I base my claim to move this resolution upon that precedent. We have not as yet Standing Committees to consider these important questions. Government have no doubt done the right thing in inviting public opinion on this question, but it would add to the

weight of the decision of Your Lordship's Government, and I have every reason to expect that it would command greater confidence of the public, if a small committee were appointed by Your Lordship's Government to consider the matter. There is fundamental difference between the recommendations of the Public Services Commission, the views of Government as set out in the Government Resolution, and public opinion on the subject. It is, therefore, only meet and proper that Government should appoint a committee to consider the whole question. I do not want to anticipate the findings of the proposed committee on the various points dealt with in the Resolution, but it is necessary that I should place certain facts before Your Lordship's Government with reference to them. Various have been the suggestions as regards recruitment, probation and training of these officers. I find in one of the representations submitted to Your Excellency's Government by some of the members of the Judicial Service that they consider that the age-limit of 30 years fixed by the Public Services Commission is high, whereas they not only approve of the proposal of Your Excellency's Government that the age-limit should be 27, but generally appreciate it. They consider that the present system of enrolling a candidate before he completes the age of 27 and providing him for the first time with an officiating appointment before he completes the age of 29 has given rise to serious discontent by making the candidates wait for an unnecessarily long time. It is justly urged that a candidate who is appointed to officiate for the first time can never be appointed even substantive *pro tempore* before the expiry of about four years, and another year or two years has to pass before he expects to be appointed in the service. Whereas there is difference of opinion as regards age-limit and period of probation, all are of opinion that the members of the service ought to be recruited from the bar. Speaking for myself, I think some experience at the bar, some practical knowledge, should be an undoubted condition for appointments in the Judicial Service. It makes one better fitted for judicial work as it gives him an insight into the ways of the litigant public even without attaining much practice. This is the rule everywhere and we do not know why here there should be a deviation from the rule. The creation of a grade of probationers is of doubtful utility. It is unfortunate that the Resolution of the 20th November last starts with the assumption that the Provincial Judicial Service was formed to fill charges of minor responsibility in the civil judicial administration of the province. If the work of a service is to be measured by the pay attached to it, then we admit that the work of the Provincial Service is of minor importance. If, however, the work of a service is to be measured by the real work done by that service then I need hardly say that the Provincial Judicial Service is one of the most important services under the British Crown. These honest, hardworking and conscientious servants of Government are not at all very costly to Government. I have said more than once in this Council that these officers of Government have actually been minting money for Government in the remotest parts of the country and bringing home to the rich and the poor alike the idea of British justice. The usefulness of their work has been testified to not only by Government but by the highest tribunals, both here and by the Judicial Committee of the Privy Council in England. Mr. Justice Prinsep who, as a Judge of the High Court, was in charge of the Provincial Judicial Service in Bengal for a larger number of years than any other member of the Indian Civil Service, said that 'in education, in intelligence, in devotion to the public service I venture to state that the officers of the Bengal Judicial Service are not surpassed by those of any other department under the Government'.

Let me quote here the words of Sir Leslie Miller (a former Judge of Madras High Court) who at the Law Dinner in 1913 said of the Provincial Judicial Service in this country generally: 'Those who sit on the Bench in the mufassal, whom I specially ask your remembrance and good wishes, those who toil long hours recording interminable depositions in an atmosphere of perjury, fraud, amidst chicanery, striving against uncongenial surroundings. They work against time to get through the work and are striving hard to

Babu Surendra Nath Ray.

preserve the purity, integrity and righteousness of the judicial administration in this country, being in places where they can find no decent accommodation, often in places where there is no congenial companionship for their so-called leisure hours. Those are the men to whom our sympathy should go. Most of them are drawn from your great profession, and I ask you to pity the poor Munsifs and Sub-Judges. People talk of the independence and fearlessness of the Judges of the High Court. When you come to think of it, what have they got to be afraid of? Their position is too secure to be assailed. They have a strong body of colleagues to support them. Far different is the case of the District Munsifs who, far away from their houses and friends, have to administer justice at places often split up by factious cliques. If, under these circumstances some have succeeded in their endeavour to maintain their independence, all honour is due to them.'

The Public Services Commission was appointed to consider among others how far Indians, if properly qualified, should be admitted in substantial numbers and on terms of equality with Europeans to the higher as well as to the lower branches of the administration. It would, however, appear that the Commission have overlooked the very just claims of the Subordinate Judges, as they have not made any recommendations for the increase of their maximum salary or the initial pay of the District Judges recruited from them. It will be found that in case of acceptance of the recommendations of the Commission in full, the prospects of officers who are already in the service, specially Sub-Judges, are likely to become even worse than at present. Under the present arrangements a Sub-Judge of the third grade can well expect to reach the second grade, *i.e.*, the grade of Rs. 800, within three years and the first grade of Rs. 1,000 within the next two years, but if the suggested modifications be adopted they can never expect to do so within the above periods.

I shall now say a few words about the pay of the Munsifs. It is urged by them as well as on their behalf that the initial pay, I mean their pay during the probationary period, should be Rs. 200 as recommended by the Commission, and not Rs. 175, and that when they are confirmed in their appointment they should get Rs. 300. We know that education has made rapid progress in the country and that qualified men are being turned out by the University every year by hundreds, and that we can get good men for a low salary. But we forget one thing. When you place one in a position of trust and responsibility, you ought to give him sufficient remuneration, so that he may be above temptation. This ought to be borne in mind by Government in making appointments. This is also the principle which has in a manner been recommended by the Public Services Commission. We find in the report : 'The only safe criterion is that Government should pay so much and so much only to their employés as is necessary to obtain recruits of the right stamp and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service.' The triennial increment of Rs. 40 to the pay of Munsiffs is generally approved. The recommendation, however, of having a selection grade from Rs. 460 is one which has not been favourably received. The members of the Judicial Service have hitherto got promotion from a Munsifship to a Sub-Judgeship as a matter of course, except in rare instances, *i.e.*, there was very little supersession. For this reason there has been very little discontent or heart-burning among them, and the civil administration of the province, which is practically in their hands, has suffered very little. But the proposal to have a selection grade or to put any bar to the Munsifs getting promoted as Sub-Judges will produce great discontent in the service. This is a matter to be taken seriously into consideration.

Babu Surendra Nath Ray.

It is also urged that the increment of Rs. 40 in the case of Sub-Judges is too small and in the ordinary course a Sub-Judge will not be able to rise to the grade of Rs. 1,000, but will have to rest content on Rs. 800, and their pension will be seriously affected. It is pointed out in this connection that the number of Subordinate Judges in Bihar and Orissa being greater than that in Bengal, many of them have risen to the grade of Sub-Judges drawing pay of Rs. 600 to Rs. 800, whereas their seniors in service in Bengal are still in the grade of Munsifs drawing Rs. 300 or Rs. 400 a month. The members of the Judicial Service also pray that there should be a grade of Rs. 1,200 and that they should be allowed to serve till the age of 57.

With reference to the listed appointments, *i.e.*, the post of District Judges, I should like to say a few words. It is proposed that four District Judgeships should be recruited from the Provincial Judicial Service instead of six District Judgeships as at present, and that four District Judgeships should be recruited from the bar. This would be if the recommendation of the Reform scheme be given effect to, *i.e.*, 33 per cent. of these appointments should be divided between the bar and the service, and gradually, within the next ten years, 50 per cent. of the District Judgeships should be divided between them.

It is however suggested that no harm would be done if 50 per cent. of the District Judgeships be thrown open to the members of the Provincial Service and the bar, at least it would be rather disheartening if the members of the Provincial Judicial Service who had been anxiously expecting betterment of their prospects were to be told that two of the prize appointments to which they could hitherto aspire and which they had hitherto held would be taken away from them.

The Public Services Commission or the Government Resolution might say that the work of the members of the Provincial Judicial Service is of minor importance, but as a matter of fact the entire civil litigation of the province, except that of Calcutta proper, is practically disposed of by this branch of the service, as well as some work of minor importance which used to be done hitherto by District Judges. The Subordinate Judges, like the District Judges, exercise unlimited jurisdiction in the original civil cases and co-ordinate appellate jurisdiction in respect of cases tried by Munsifs. They practically do the same work as Judges sitting on the Original Side of the High Court, except Admiralty and Ecclesiastical cases. They have to try a very large portion of the most intricate civil cases. Their work is known to the public and appreciated by the public, and compares favourably with that of the District Judges who are recruited from the Indian Civil Service and who generally draw three times the salary of these Subordinate Judges. A tabular statement was submitted by Mr. A. H. Cumming, one of the most experienced of the District Judges, to the Public Services Commission in the course of his evidence with a view to show how the work of the District Judges compared with that of the Subordinate Judges. We find therein that between the years 1907—1911, 74 per cent. of the appeals preferred against the decisions of the District Judges were affirmed by the High Court whereas during the said period 83 per cent. of the appeals against the decisions of the Sub-Judges were confirmed. Again, during the said period, 68 per cent. of the miscellaneous appeals against the decisions of District Judges were affirmed by the High Court, whereas 73 per cent. of those of Sub-Judges were affirmed. This will be found in page 576 of Part III of the Report of the Public Services Commission. It will thus be seen that the quality of the judicial work of a Sub-Judge does not compare unfavourably with that of a District Judge. I need hardly say that the greater and most important portion of the civil work of the province is in the hands of the Sub-Judges.

Babu Ambika Charan Mazumdar.

Much is made of the administrative work of a District Judge. But may I ask, what does it consist of? It consists of inspection by him of the Subordinate Civil Courts, viz., the court of a Munsif for a day or two in the course of one or two years, to appoint clerks or to give them promotion or to send confidential notes about the work of the subordinate judiciary. We think all this work to be of minor importance compared with the judicial work of a Sub-Judge. There is another fact which ought to be taken into consideration in this connection. When we consider that the Judges of the Calcutta Small Cause Court, most of whom are considerably inferior to most of the Sub-Judges, and we also take consideration that these Judges of the Small Cause Court begin with Rs. 1,000 as initial pay rising to Rs. 2,500, whereas the Sub-Judges end their service on a pay of Rs. 1,000, one really is surprised at the immense difference. And the surprise is enhanced when there has been recommendation in the increase of pay and prospects of members of all other departments of Government but there has been nothing as regards those of the members of the Provincial Judicial Service. There is recommendation for some increase in the pay of even District Judges in spite of their getting exchange compensation allowance and the creation of a separate grade of District Judges drawing a salary of Rs. 3,000.

We are not in possession of the letter of the Hon'ble High Court dated the 23rd March 1918.

As regards the pension and leave of these officers, I think the proposed Committee might take the same into consideration along with other questions.

My Lord, I hold no brief for the members of the Provincial Judicial Service. It is also not quite correct to suppose that the members of the Provincial Judicial Service and the non-official members of this Council have been clamouring along with them for an increase in the initial pay of the members of the Provincial Judicial Service because Government have increased the initial pay of the members of the Provincial Executive Service. This is unfortunately a wrong assumption on the part of Government. The public consider that the members of the Provincial Executive, being more in touch with Government, their claims find a ready hearing from Government. Whatever may be the case, members of both the services are hard-worked people and they have raised the tone of the administration. Members of the Provincial Judicial Service legitimately pray that their claims may be taken into sympathetic consideration now that the question has come to a head and the whole question regarding the Provincial Judicial Service is before Your Lordship's Government. In taking their claims into consideration the Government will be doing what is but right to a body of men whose meritorious services in the administration of the Government is a matter of just satisfaction to the public and also benefit to the country."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I do not wish to give merely a silent vote on this important resolution. The question of the reorganization of the Provincial Judicial Service has been pressed on the attention of Government for several years past, and the Report of the Public Services Commission, published in January 1917, has brought the question to a head, and emphasises the necessity of solving the question without further delay. I most heartily thank the Government for having taken up this important question first of all, and that separately and independently. But, My Lord, it is a common saying that while the grass grows the sheep starves. It is to be regretted that while many of the kindred services, such as those of the Assistant

Babu A. C. Mazumdar.

Surgeons, Civil Medical Officers, Provincial Engineers, Deputy Superintendents of Police and the Provincial Executive Service have been in the meantime occasionally provided with pastures new and improved, this old and attenuated service has been left in cold neglect, firmly tethered to the offside of a bleak rock, which neither grows any grass nor affords any shelter from sun and rain. The Resolution of the Government published in November last is a very important document. Although in some respects it falls short of the recommendations of the Public Services Commission, it must be admitted that in other respects it is an improvement upon them.

My Lord, first of all there is the question of recruitment. I, for one agree with the Public Services Commission in thinking that merit alone ought to be the test of appointment in the service and that in considering the claims of candidates the results of the Law Examination should be taken into consideration. Then, my Lord, there is the next question raised by the Resolution of the Government about the probationary Munsifs. My hon'ble friend, the mover of this resolution, has preferred to adhere to the old system, or rather the existing system, of officiating appointments. But here, with due deference, I would differ from him. I consider the proposal of Government to create a probationary service to be a decided improvement upon the existing system. The rule about three years' practice at a bar is a mere delusion. I know from my experience that, as soon as a candidate enrolled in the High Court for an appointment in the Judicial Service succeeds in securing his very first officiating appointment, he begins to sell off his law books. Knowing as he does that he has hooked the fish he knows that he has simply to wait in patience. The interval between two such officiating appointments is utilised not in studying either the law or the procedure, but in following the steps of permanent officers in a station, learning how they move, how they snub the members of the bar, and so forth, and last but not the least, how to adjust their neck-ties.

My Lord, I do think that the probationary period would be a great improvement; but how are they to be trained, that is the question? I think, Sir, that when a candidate gets a probationary appointment he ought to be attached to a District Court, but the proper ground for his training should not be simply the District Court, but the courts of Sub-Judges and also of Munsifs at the headquarters station. There they ought to learn how to frame issues, how to record evidence and also to study the circulars of the High Court. There is another important matter which ought to receive their attention and it is this: I have found that many Munsifs are perfectly helpless in the hands of the Civil Court Commissioners: an elementary knowledge of surveying—at all events a knowledge sufficient to detect the mistakes—and the ordinary rules of survey ought to be acquired by the Munsifs during this probationary period, while they are attached to the Courts of District Judges and the District Judges might depute them to watch the proceedings of one or two Civil Court Commissioners' proceedings, so that they might easily have an insight into the matter; not that they should be very efficient in drawing maps or calculating distances, but there are certain primary rules in surveying by which a Judge can detect whether the work done by a Civil Court Commissioner is accurate or liable to be questioned. This training should be given to them in the probationary period. But, my Lord, I have certain modifications to suggest to the Resolution published by Government under this head.

Two years have been provided for this probationary period. I should think that this period should be divided into two stages—the first year of probation should be just as I have already indicated by attaching the probationer to a court of District Judge and by him deputed to a court of

Babu A. C. Mazumdar.

Sub-Judge or Munsif just to learn his elementary business. In the second year of probation, he should be entrusted with light and simple judicial work, viz., say, trial of rent-suits, of bond suits and of simple possessory suits under section 9 of the Specific Relief Act: and then when he is confirmed in the third year he should be a full-fledged Munsif dealing with all questions and cases.

Two years' time for a probationer would be, I think, a serious loss of public time and which I do not think would be quite necessary for the purpose of training an intelligent young man who has passed the B.L. degree examination to acquire the simple knowledge of how to frame issues, of how to take evidence, or how to test the map of an amin and so forth.

Now, my Lord, the Resolution proposes to give Rs. 175 per month to these probationary Munsifs. This has caused great excitement among the officers of the service. I understand your Excellency's Government has received a representation from some of the judicial officers in which they urge that now that their officiating appointment carries a pay of Rs. 200 they ought not to get Rs. 175 to begin with as a probationer: that is their argument, and it is contended by them that it is a financial loss to them. My Lord, I have pointed out to some of them that as far as financial loss or gain is concerned, they are perfectly mistaken. An officiating Munsif gets a permanent appointment in about two or two-and-half years, and I take it that the most fortunate man gets it in two years, but what is the time during which he is so employed? The most fortunate man amongst them gets it for twelve months and some get it only for six months in two years. The rest of the time they idle away, as I have already described, in watching the movements of permanent officers and in associating with them. If they earn Rs. 200 in twelve months out of two years they get only Rs. 2,400, but my Lord, if, as probationers, they get every month Rs. 175 then in two years they would get a sum which is very much in excess of their officiating earnings In fact, your Excellency will see the figures will be reversed almost—in place of Rs. 2,400 they will get Rs. 4,200. So the question of loss or gain is not the question here—in fact there the memorialists are mistaken. But there is another question, which has been put forward by my hon'ble friend who has moved this resolution, that these officers should be kept out of temptation and that they should be allowed to lead a decent life. That is very important. I would, therefore, suggest that, while I am not prepared to say that Rs. 175 would be a very bad pay to begin with as a probationer, the first year of probation may carry only Rs. 175, but in the second year of probation when I propose the Munsifs should be placed in charge of some judicial work—though of a minor character, namely, the trial of rent suits, bond suits, possessory suits and so forth—they ought to be given Rs. 200. I believe this will remove much of the discontent which now prevails among the members of the service.

Then, of course, there is the next question—when they become permanent it is proposed to give them Rs. 300. That is quite good. But, my Lord, the proposal to give them an increment of Rs. 40 in three years is open to some objection. No doubt the present system of giving increments in a haphazard fashion cannot be justified, and the incremental system on a time limit proposed by Government is certainly an improvement; but I would suggest that instead of giving them Rs. 40 in three years, the system should be modified in this way, that is to say, that after the first year as a probationer carrying Rs. 175, second year Rs. 200, and in the third year, when he is made permanent and placed in the fifth grade, his pay becomes Rs. 300 and after that give them an annual increment of Rs. 20. It will have a very important advantage—it will keep them contented and at the same time it will save much time. Your Excellency will permit me here to give an outline of the present position of the service.

Mr. Aminur Rahman.

An officiating Munsif on Rs. 200 has to serve two years at least t become permanent—I say 'at least' because they generally take two and half years or even three years—however I take it as two years. Then having entered the service at the age of 27, they attain the age of 29 when they become permanent. Now let us see what time they take in getting to the top Munsifship. Government is aware that there are five grades, the 5th or the lowest grade being Rs. 200, then the 4th grade Rs. 250, the 3rd grade Rs. 300, the 2nd grade Rs. 400 and the 1st grade Rs. 500. Now in reaching the 4th grade from the 5th grade one has to pass two and hal years."

[At this stage, the Hon'ble Member, having reached the time-limit, had to conclude his remarks.]

The Hon'ble Mr. Aminur Rahman said :—

"My Lord, in simple justice to the members of this branch of the Provincial Service, the public have at last taken up the question of their position and the conditions of the service. This branch of the public services is quite as important as any other branch so far as the maintenance of peace and prosperity of the country is concerned. I do not wish to enumerate, in supporting this resolution, the grievances that have been brought forward by the Munsifs and the Sub-Judges in their representations to the Government. But I wish to take up a few salient points in these representations and they seem to me to be three : the first is that they complain of low salary ; the second is slow promotion ; and the third is hard work. Considering the responsibilities attached to the office, the value of the services rendered by them and the volume of work done by them, I must confess that the emoluments are far too small as compared with those drawn by members in other branches of the public services who do much less important work and get much more salary because they are constantly before the public eye. Members of this branch of the service do not get the consideration that they deserve ; but they are a toiling lot ; and yet the public and the Government think it fit to neglect them. The question of appointment is also a very important one. The question of recruitment from the lower branch to the higher branch is another point to be considered. In all these things there are always two points of view. One is that appointments and promotions should be made on the basis of seniority ; and the other is that it should be made on a consideration of the merits of the officials. There, again, we find that there is a difference of opinion amongst the members of the services themselves. The men who are young and therefore new in the service naturally stand up for merit ; the men who are old and have been long in the service naturally advocate the other view ; but it is difficult sometimes to judge what should be the standard of valuation, and how should merit be judged. It has often been said by members of the service that merit is simply judged on a consideration of the volume of work done. Now, that probably seems very sound, but on an examination of the question it is seen that the volume of work, although it may be large, sometimes may not be quite good ; and I have often heard Munsifs say that amongst them the man who can clear up the arrears of work very often gets promotion. In the case of a man who clears up arrears of work the kind of work that is done by him has to be kept in view. A man who clears up arrears of work generally goes through it hurriedly, and the cases do not receive the consideration that they deserve. Not only the volume of work but the value of work ought to be considered. There we find that there is a clear difference of opinion; but I think that if we keep the effciency of the service in view, it ought not to be difficult for a Committee to find out what should be the basis of promotion and appointment; for that reason I very strongly support the resolution.

Sir Deba Prasad Sarbadhikari.

As regards hard work there is much to be said on behalf of the members of the service. They ungrudgingly do their work; they have a feeling that the public and the Government do not care so much for them and they are quite reconciled to their lot. I have seen Munsifs sitting up till 8 o'clock at night, doing their work; and I have known of districts where a single Munsif is discharging the duties of his office ungrudgingly and laboriously. He has to deal with the files left by his predecessor or predecessors; sometimes he has got to do the work of three men—probably two of them have gone on leave—but he finds that when he makes representations to the District Judge, his case is not very favourably considered. As a rule, these Munsifs have far more work to do than men in other departments of the public services. The amount of work that they have to do in a single case is simply enormous.

I repeat again that, considering the value of their services and the volume of work done by them, in all justice we ought to take up the question of improving the conditions of the service seriously, and I welcome the resolution put forward by the hon'ble mover."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord. I am sorry to have to strike a note of discord. I am afraid I do not clearly understand what is before the Council at the present moment judging by the speeches in support of the motion. With regard to the reality of the grievances of the Munsifs there can be no question, and when I strike this note of discord I do so in the confident belief that I shall not be misjudged by the Council or by those in whose interest this motion has been moved. Ever since I have been a member of this Council—and that is now many years. I have been almost year after year bringing up the question of improving the service till the younger hands have taken it up. We have had a narration of their grievances which is not new to the Council or to the Government. The question is now one entirely of ways and means. Though I am not fully convinced of the beneficent intentions of the hon'ble mover of the motion towards the members of the service I should think that this was a move for putting off the evil day as long as possible. What good a committee like this has now to do. Well, my Lord. I have some experience of committees elsewhere. Although many resolutions have been moved in this Council we have not had any committee. In connection, however, with the Public Services Commission's Report itself we had one committee referred to by Sir Henry Wheeler—that is with regard to the Educational Service. Some of my colleagues here in this Council were members of this committee—I think the Hon'ble Mr. Wordsworth and two other hon'ble members along with myself were on this committee. We had a lot of sittings, very elaborate resolutions were moved in due form, giving satisfaction to none. That would be the fate of another committee that you might appoint with regard to this very important branch of the public service. The thing now is to go ahead and the best possible way is now open to us. It is not the Council will have the last word on the subject. Full materials will have to be placed before the proper authorities and there is no lack of materials. The necessity is at present for some definite and decisive action. A scheme that may be evolved may not be perfect, but the thing is to get ahead and do something and I am afraid that the committee will not achieve that object.

If, on the contrary, my Lord, all the materials and many of the suggestions that are advocated by different public bodies who were consulted with regard to this important question be acted upon and a definite scheme placed before the proper authorities with the request that action be taken as soon as possible, it would be doing much better service to the Subordinate Judges

and Munsifs than by having a committee which would merely delay matters. I do not complain—on the other hand I am glad that the Executive Service has received a treatment that they have well earned as they are a very important branch of the public service, even if less fortunate Munsifs and Subordinate Judges have not had the treatment that was merely promised them not long ago. Then came the recommendations of the Public Services Commission. Public opinion has been collected on them, and Government is, I am sure, ready to go into the matter and do the best that can be done with the materials placed before it. Now to ask for a committee would mean further delaying matters, and would not help the interests of the services which we have so much at heart. Much detail has been gone into; probably they have not yet appointed a proper body to go into it. I do not propose to refer to them. If, however, it is necessary for this Council to go into some of the details, the best and the quickest way of getting the thing done would be by following the course that the Hon'ble Sir Henry Wheeler suggested when speaking in connection with the earlier resolution. The Resolution of the Government is now before the public in some shape, and it is open to any of us to bring forward substantive resolutions before this Council and make recommendation in that form for the consideration of the Council, and then bringing up the report of that committee for consideration. There is nothing to prevent our embodying in the form of resolutions many valuable suggestions that have been made in the course of this debate, and the sense of the Council can be taken and it will assist the Government better than the appointment of a committee and then finding that the committee has pleased neither the Government nor the public. It strikes me that no useful purpose will be served by appointing such a committee, but I would appeal to your Excellency's Government to expedite the matter which is now before them".

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I do not know how far the Committee suggested by my hon'ble friend Babu Surendra Nath Ray will be helpful in this matter. I quite appreciate the observations of the last speaker, the Hon'ble Sir Deba Prasad Sarbadhikari. Committees have their uses and committees have their abuses also. They make delays and that is one reason why if I support the Hon'ble Babu Surendra Nath Ray's resolution, I do so with considerable hesitation. I wish to speak a few words as regards Subordinate Judges and their pay, because from certain remarks in a Resolution of the Government of November last, and certain answers given by the Hon'ble Mr. Duval, the Judicial Secretary to the Government, to certain questions put by one of the hon'ble members in this Council, some weeks ago, it appears that the considered opinion of the Government as regards the discharge of their duties by the Subordinate Judges is based upon certain words in the report of the Public Services Commission, and they tend to put a lower value on the work of the Subordinate Judges than they are justly entitled to. When I venture to criticise the view of the Government and of the Hon'ble Mr. Duval and of the remarks of the Public Services Commission, it may be said that I am venturing too much, that I probably am not in a position to say that these remarks are unjust and that it is a great presumption on my part to do so. Well, my Lord, it may be presumption on my part, but I cannot avoid saying what I know, and what I have a right to feel. I have some little experience of the working of these courts; I have been unconnected with them for the last ten years, and I am in a detached position, but I can say what I know of the work of the Subordinate Judges extending over a period of 38 years, from 1871 to 1909. All this time I have not been a silent spectator of the performance in their courts. I can also speak of the work of the District Judges, so that I do not speak with a prejudiced mind, and am in a fair position to express my

Rai Dehender Chunder Ghose Bahadur.

mind on the nature and responsibilities of the work of District and Subordinate Judges. I have nothing to say as regards the responsibilities of the District Judges—they are very great and very heavy, but I was certainly not prepared to hear a few weeks ago in this Council from the Hon'ble Mr. Duval who has been on the Bench for the past eight years, as a Judge, a District Judge and sometimes as Additional Judge, and who must be presumed to have as good knowledge and experience in these matters, to express an opinion as I have, and from whom a better appreciation of the work of the Subordinate Judges was expected. The Hon'ble Mr. Duval qualified his statement by saying that that was the view taken by the Public Services Commission, and that he put forward that view, and that was the view also taken by the Government in their Resolution. The Government Resolution of November last speaks of Subordinate Judges as officers holding charges of minor responsibility in the sphere of judicial administration. It is felt by this class of officers that this is a remark which is adding insult to injury—I am quoting the words used before me by two of them, and I quite sympathise with their feelings. You may or may not increase their salaries or increase their prospects, but why depreciate the value of their work in this way. That is their complaint, and I think if your Lordship were to know the exact nature of the work that they have to do, your Lordship would no doubt feel that the observations made in the Resolution ought to be modified. I will not go into details in this matter, because there have been communications made to the Government and also, I believe, in the speeches of the previous speakers it has been pointed out that the work of the Subordinate Judges is certainly as heavy as in any other court, and the Hon'ble Babu Surendra Nath Ray has said that their work is the same as in the original side of the Calcutta High Court, barring the Ecclesiastical jurisdiction. In the mofussil there are less commercial cases than in the Calcutta High Court, and that makes a pretty good difference, but as regards suits involving the rights to properties, there is no difference; there can be no distinction between the work in the original side of the Calcutta High Court and the work in the Court of the Subordinate Judge. The suits relating to rights of property are by their very nature more complicated and require more skilful handling, and consideration than in the trial of suits of a different nature, and I may say that suits of this kind are always tried, with rare exception, by the Subordinate Judge and not by the District Judge. The District Judge has his hands too full; he has to attend to the criminal business of the district; he has to attend to administrative matters, and he has to attend to appeals from Munsifs as well as appeals from the judgment of the Subordinate Judge, to a very limited extent, that is, up to the value of Rs. 5,000, and it would dislocate all his arrangements if he were to take up an original suit, the trial of which would last a month or so, or say even two weeks or 10 days, because in that case he would not be able to attend to other important business like this. Whatever be the reason, the fact is that all suits relating to rights to property are decided by the Subordinate Judge; and it is not unusual, it is a very common thing, for suits involving half a crore of rupees or 10 or 20 lakhs being tried in the court of the Subordinate Judge, lasting a month or sometimes a month and-a-half or two months, while the work of the District Judge in the cases tried before him, whether original or appeal, would not take time anything like that. I do not mean to suggest that the bigger Judge should take the heavier case, and should be weighted with the heavy responsibility of trying all these important suits. I think the arrangement which exists now is the best; that is, the District Judge takes cases which do not last a long time, or cases disposed of in a day or two, or the trial of which does not last more than 2 or 3 days, or 2 or 3 hours; it is good for the judicial administration of the country. What I have always regretted is that Government do not always give the requisite training to the Judge of the Civil Service before he takes his seat on the district bench. If he were made to preside in the Subordinate Judge's Court for a year or two, it would give the requisite training which he needs before taking his seat first on the district bench. However, that is a matter which

is not relevant to the present case, and if I am right in my observations, then there was no occasion for saying in the resolution of the Government that the Subordinate Judges hold charges of minor responsibility in the sphere of administration. As regards the report of the Public Services Commission upon which these observations are based, I have to point out that there was a Judge, an eminent Judge of the Madras High Court, on that Commission ; he was a Bengal barrister and probably it is said that the observation coming from a Commission composed amongst others of a person in such a situation....."

[The Hon'ble Member having exceeded his time-limit had to resume his seat.]

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

" My Lord, I desire to speak a few words on this subject. The resolution, as far as I understand, is for the appointment of a commission of inquiry, and the question is whether such an appointment would advance the discussions which have been embodied in the speech of the hon'ble mover of the resolution. If a committee be appointed all the points raised may be successful. The starting pay of the munsifs is only Rs. 175. The increase in their pay as well as in the pay of the subordinate judges may be usefully discussed in that committee. And so I thought that I would support the resolution. But, my Lord, on listening to the speech of the Hon'ble Sir Deba Prasad Sarbadhikari I think that it will be no use now to have a committee because the matter rests entirely with the Government. It is a matter of gratification to us, my Lord, that your Excellency's Government have taken up the subject. It is necessary for your Excellency's Government to listen to the discussion which has been going on for a very long time. On this question representations have been made to your Excellency's Government by the subordinate judges and their representations should be favourably considered by Government. These subordinate judges with whom I have come in close contact for the last forty years are very useful officers, but I can say that they are very hard-working and conscientious. My Lord, the claims of these subordinate judges and munsifs ought to be recognised more fully. I respectfully differ from the views of my hon'ble friend Babu Ambika Charan Mazumdar that the munsifs should get probationary work at the first instance. My view is that these munsifs should be trained at the bar ; mere attendance at the District Judge's court will not give them sufficient experience and training. If they have to work with lawyers and pleaders they will get better training than they would get by merely attending the District Judge's court. I need not dilate upon this point any more. I feel that the subordinate judges should be treated in the way they deserve. The question, however, is one for the Government, and it is for Government to decide whether they consider suggestions put forward in the resolution."

The Hon'ble Maulvi Fazl-ul-Haq said:—

"My Lord, several hon'ble members have already spoken on this resolution and I have listened to a fairly lengthy debate, but I feel that most of the observations that have already been made are somewhat irrelevant to the real point under issue. I thought several times of rising to a point of order when hon'ble members were discussing the merits of a particular scheme for the purpose of reform, but I did not

wish to stop that flow of eloquence with which this Council has been flooded for the last one hour and-a-half. The simple problem before the House is the recommendation that has been made in the resolution that a committee be appointed for certain purposes to advise Government about a matter regarding which we all desire that some steps ought to be taken and as to which the only difference is one of ways and means. If there are hon'ble members who are in favour of the appointment of a committee it is for them to rise and point out the reasons which in their opinion speak in favour of the advisability of the appointment of a committee. I am one of those who think that under the present circumstances the appointment of a committee is desirable, and I will briefly indicate my reasons for so thinking. I agree with the Hon'ble Sir Deba Prasad Sarbadhikari that committees are of very little practical value in solving problems of this character, but in this particular case I feel that a committee might be useful because we have already got a large mass of opinion that has been collected and the sole work for the committee would be to take into the consideration the opinion that has been elicited and to presenting all such opinion before Government with a view to work out a practicable scheme. That need not take very long and there is one particular reason which I think can weigh with Government in the matter of the appointment of the committee. I wish very humbly and respectfully to give a piece of advice to the official member who is going to speak on this resolution on behalf of Government which he may take for all it is worth. There is a well-known proverb—if you want to catch a thief set a thief after him. Whenever there is any agitation over a public question I think the best way in which the Government can act is to call upon some of the agitators to work out the very problem which gave rise to the agitation. If they succeed in working out a practicable scheme, Government can always accept it and get credit for it. If they fail, Government has only to hold the fact before the public for their satisfaction. My Lord, in this particular case a committee may be appointed consisting of some of the non-official members of this Council to consider the question and they may be asked to work out a scheme for the solution of the problems which we have been discussing in this very Council for several years. It would be a simple matter so far as the committee is concerned, to go into the discussion of this problem—and there are various points of view from which this question has been discussed—and I believe that if no workable or satisfactory scheme can be suggested the fault will hardly lie with the Government. My Lord, before I conclude, there is one passage in the Government resolution to which reference has already been made and to which also I wish to refer very briefly—I mean the passage referring to the nature of the work done by subordinate judges as being of a somewhat minor nature and I wish to join my voice with that of my hon'ble friend Rai Debender Chunder Ghosh Bahadur in entering a respectful, though emphatic, protest against any suggestion of this character. Subordinate judges have, we all know, not only to work very hard but the nature of their duties is hardly of a less responsible character than even, if I may be permitted to say so, those performed by High Court Judges. On the Original Side of the High Court the work that the Hon'ble Judges do is practically of the same character which subordinate judges have to do in the mufassal, with only this difference that the subordinate judges have not got the advantage of being assisted by trained lawyers of calibre and mentality which we find in the High Court, not to speak of other disadvantages under which the mufassal judges labour in the discharge of their duties.

My Lord, instances are not uncommon in which cases have gone up on appeal to the Privy Council and in which the judgments of the High Court have been reversed and the judgments of subordinate judges have been restored. In view of these facts, it is hardly fair to this branch of the public service to say that they perform duties of minor importance. I say this

because I have heard a complaint from subordinate judges that the proposa made by the Government in the resolution in the matter of their incremen and pay is not only unsatisfactory but absolutely disadvantageous. Ever compared with the present conditions I do hope that if your Excellency con sents to accept this resolution and appoints a committee, these matters will be taken into consideration by that committee. The Hon'ble Sir Deba Prasad Sarbadhikari in discussing the futility generally of the labours of committees referred to the Education Committee that was appointed by Government Sometime ago I had the privilege of being a member of that committee and I know the extreme difficulties under which the members of that committee had to work in co-ordinating opinions, sometimes widely divergent, in order to find out some solution which would be satisfactory from all points of view But in this particular case, as I have submitted, the difficulties are not of the character which faced us in connection with our work in the Education Committee. There, one of the most important difficulties and one of the most thorny problems that we had to solve was as regards the feeling which we find very persistent regarding the differentiation between the Provincial and Indian Educational Services. No such consideration arises with reference to the consideration of the problems relating to the improvement of the pay and prospects of the members of the Judicial Service. I think that a committee appointed for the purpose of carrying out the objects mentioned in this resolution will not have much difficult work to do. In this view of the matter, my Lord, I think that a committee will be useful and I therefore beg to support this resolution."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the position of the Local Government in this matter is, in the main, that which has been very clearly argued by the Hon'ble Sir Deba Prasad Sarbadhikari, and to that extent his speech has anticipated my remarks. In the speeches that we have heard to-day, we have been told a great deal about what may be called the service grievances of sub-judges and munsifs, but we have probably heard little that was not represented before the Public Services Commission, and little that is not already contained in the answers which we received to our resolution of the 19th November last. To that extent the debate, which has lasted some time to-day, has not added much to the facts which are represented on the side of the subordinate judicial service, and I do not propose now to argue these grievances on their merits except—if I may be permitted to make a digression—to notice one point which seems to me it might be useful to lay at rest. With so many other causes for difference of opinion, it does seem to me a pity that the time of this Council should be wasted in arguments which are really based on a misapprehension. In our resolution of the 19th November, we said that the Provincial Judicial Service was formed to fill charges of minor responsibilities in the civil judicial administration of the province. We subsequently explained what we meant by that in answer to a question; but still we are told to-day that the remark has added insult to injury. By way of an illustration which may explain matters, may I put the simple proposition—if I may be permitted to do so without offence—that the position of a Governor of a province is one of minor responsibility to that of the Viceroy. I hope Your Excellency will not think that by that remark I have added insult to injury. It is obvious that the position of a Governor of a province is one that calls for ability, character and energy in the highest degree: yet, as a statement of fact, the one I have made, I submit, is correct. On precisely the same lines, as compared with District Judges and High Court Judges, we said that munsifs and sub-judges occupy a position of minor responsibility, but no one infers that the performance of their duties does not require capacity, integrity and judgment. Surely the remarks of the

resolution cannot reasonably be construed as insulting. I apologise, my Lord, for this digression, but it may possibly save time hereafter. I will now turn to the resolution itself.

"As I have already said, most of the speeches we have heard deal with service grievances. The resolution itself asks us that we should remit certain papers for the consideration of a committee. My objection to that, put briefly, is that it is impossible to conduct administration by unending committees. In connection with the previous resolution, I have tried to explain what the position in these matters is, namely, that the question being beyond the powers of the provincial Government, we must refer it to the Government of India, which, in their turn, will probably have to refer it to the Secretary of State, and whether we have another committee or not, this Government will, on such materials as are before them, and aided by such intelligence as Providence has given them, have at some time to make recommendations to the Government of India. Under these circumstances, I submit that all this Government can be expected to do is to base their recommendations on a fair and open enquiry in the course of which all those interested may be heard. In this particular instance, we have already had various debates in this Council; but, apart from those, we have had a fair and open enquiry by the Public Services Commission—a Commission which was representative not only of Bengal but the whole of India, and composed of men—I hesitate to say—of higher calibre—but possibly of more widely recognised standing than anybody likely to be taken from Bengal alone. They toured throughout India and they made their recommendations. However, we did not even act upon them: in our desire to do something for these sub-judges and munsifs we departed from our usual procedure, which is ordinarily that of awaiting reference from the Government of India, and in anticipation of such a letter we addressed the High Court. This was done on the 23rd March 1918, and we received the High Court's reply on the 5th September last. We then put out our resolution of the 19th November, and we got in replies which are now before us. I hold here a list of those who have replied, numbering about 116, and with particular reference to the service grievances, I may point out that we have had about 90 answers from sub-judges and munsifs, and I can assure hon'ble members that they have fully represented their grievances before the Local Government. We have also had replies from a number of pleaders, Bar Library Associations, and public bodies of importance, such as the Indian Association, the Central Muhammadan Association, the National Liberal League, the Bengal National Chamber of Commerce, and the British Indian Association. Therefore, we have received a very large and representative body of opinions in response to our invitation, and it cannot be said that in this matter we have not consulted public opinion. But in all administrative matters there must come a stage at which action succeeds consultation, and although certain of the deliberations of this Council during the last two days would lead us to imagine that, with some of its Members, that is not a very popular doctrine, still I submit that it is reasonable. What we are asked to do now is to refer all these papers again to a committee. What is that Committee to do? Is it to take evidence again and go round recording opinions and prepare a report? Obviously that would take time, and after it was done, we should only have another report of, perhaps, six or eight gentlemen of eminence. We did not even act immediately on the report of the Public Services Commission, and are we to act on this second report without publishing it? Are we to get another 116 opinions and what are we then to do with them? Obviously, the procedure may be unending, and if we adopt it we shall never come to any conclusion at all. Sooner or later we have got to come to a decision. We have arrived now at the decision stage. The file is at present lying on my table, though I have not hitherto been able to tackle it, as my time has been fully occupied in preparing for this debate. Otherwise, we would have got our letter out by this time containing our proposals. If, Sir, I wanted to delay any redress to the complaints and grievances of these

munsifs and sub-judges, I would accept this resolution. There can be no more effective way of delaying it than to accept the advice which has been given us to-day. I think it was in connection with last year's Budget that my friend, the Hon'ble Mr. Kerr, said that the munsifs had had very hard luck, and that if he had not been speaking with his customary restraint, he would have used somewhat stronger language. What language would be used by these munsifs if, when proposals are on the eve of being submitted to the Government of India, we again refer them to a committee, I hesitate to imagine. As we deprecate further delay, we cannot accept the resolution. On the other hand, by going on with our proposals, we are doing what is the object of all of us, namely, to set right whatever legitimate grievances there may be."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, after hearing the Hon'ble Sir Henry Wheeler I think it proper to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 16.

The Hon'ble Mr. H. R. A. Irwin moved the following resolution :—

"This Council recommends to the Governor in Council that provision be made in the next year's budget for the teaching of hygiene and sanitation by duly qualified teachers in all Government and State-aided schools and colleges throughout the province, thereby giving effect to the resolution on the same subject which was carried at the meeting of this Council held on the 19th February, 1918.'

He said :—

"Just a year ago I had the honour of pressing the importance of education in hygiene and sanitation on the notice of Government.

It was opposed on behalf of Government by the Hon'ble Sir S. P., now Lord, Sinha, but nevertheless was carried by a substantial majority of independent members in a fairly full House.

I think, therefore, I am justified in again drawing the attention of Government to such an important subject, which, in the opinion of many influential and expert authorities, better qualified to judge than I, vitally affects the condition and welfare of the teeming millions in this country.

Lord Sinha, in opposing my resolution last year, quoted from a Government of India resolution on hygiene, which, according to the official report, he said, was dated 'the 31st February 1913.'

Time does not allow of my reading this resolution *in extenso*, but it starts by admitting that—'The claims of hygiene are paramount, not only in the interests of the children themselves, though these are all-important, but also as an object-lesson to the rising generation.'

Mr. Irwin.

I would specially emphasise the last sentence : in my humble opinion it will be in the coming generation, when the scholars of to-day become the fathers and mothers of the future, that the effect of simple education in hygienic methods will be made evident.

The Government of India resolution goes on to say that 'want of funds and the apathy of the people have been responsible for the comparatively small attention paid to hygiene.'

My Lord, do not the very words 'want of funds' exhibit 'apathy' on the part of Government? For surely, if, as stated the claims of hygiene are paramount, funds *should* be provided for such a purpose, by curtailing expenditure under some other less important head.

And if Government itself is apathetic, is it likely that 'the people' will be less so?

It is now six years since the date of that resolution : in the meantime what has been done to give effect to its recommendations?

It is true a most influential committee was appointed in this province to inquire into the whole subject and that committee recommended 'that there should be a course of hygiene and sanitation for the four upper classes of high schools,' but there the matter rested, the difficulty being 'the want of duly qualified teachers who are to carry out the teaching of hygiene in the schools;' but were any steps taken to provide those 'duly qualified teachers'?

Lord Sinha went on to say : 'Therefore with the greatest possible desire to give effect to the general demand for providing a certain amount of teaching of hygiene and sanitary science in the schools, we have not got, first of all, the teachers to do it, and secondly, we have not got the money to train the teachers.'

As regards both these difficulties, my contention is, that it is the duty of Government to provide both teachers and money, and if the second is provided there is no doubt that the first will shortly be forthcoming.

Before quitting the question of the debate on this subject last year, I should like to refer to the remarks which fell from the Hon'ble Mr. Arden-Wood in criticizing my resolution.

He quoted Mr. Jack as saying : 'The Bengali is certainly the cleanest race on earth.'

With due deference, my Lord, I think this quotation is misleading. I believe my Bengali friends will agree with me when say whilst I cordially agree that Bengalis, of all classes in *their own persons*, are as clean, if not cleaner than, any race on earth, that the environments of the dwellings of the lower classes in Bengali villages are lamentably filthy in the extreme, and this I am convinced is due to ignorance of the dangers it entails to health and not to actual want of cleanliness.

The hon'ble Member went on to recommend the medical inspection of school children in preference to the teaching of hygiene. I quite agree with the first part of the suggestion, but *not* as a substitute, for the teaching.

Surely it is quite a different question altogether, and were it not so, in my opinion it is of less value, as it affects the individual, for his or her life only, but does not impart valuable knowledge which can be passed on to a future generation.

He further went on to say speaking of schools, that 'They already have more subjects to teach than they can do justice to.'

Mr. Irwin.

All I can say in reply to this is, of what use are all the subjects in the school category unless life and good health be granted to benefit by them? Let some other less important subject be abandoned and give place to the teaching of health before all else.

The hon'ble Member wound up by suggesting that I should withdraw my resolution on the understanding 'that Government should take up this important question' and my reply is the Government of India 'took up the question' at any rate as far back as February 1913, but what progress has been made since?

During the past year I understand that some steps are being taken in the desired direction, in this province, by the training of sanitary inspectors, and I believe courses of lectures on hygiene are being arranged for at the central colleges; also, in certain municipalities where Health Officers are employed, similar lectures are to be given, but will those lectures be attended by an appreciable number of people or even by *any* of the classes which it is most desirable to get at?

Further, I believe that Government is being applied to for a grant for the purpose of treating school children already suffering from malaria, but as I said before, this, excellent as it may be, is a totally different question and is by way of a *cure* of disease, in individual cases, which can only be temporary, with no guarantee against re-infection, as long as the child remains in a fever-stricken locality, and cannot be of anything like the same value as education in the methods whereby disease may be *prevented*.

In support of the resolution I am this day proposing, I would refer, in the first place, to the speech reported to have been made by your Excellency at the annual conference of the All-India Sub-Assistant Surgeons' Association held at the Campbell College on January 23rd last, from which I regret time will only admit of a few brief quotations.

Your lordship is reported to have said :—

'We have to try to revolutionise the immemorial habits of a whole people before we can hope to vanquish that small but malevolent parasite, the hook-worm.'

Further

'Knowledge widely diffused and an ample supply of highly trained medical men and sanitarians.'

Again

'In place of knowledge we have ignorance.'

and finally

'the tremendous importance of spreading abroad knowledge of sanitation and hygiene.'

How, my Lord, can 'the immemorial habits of a whole people' be better revolutionised than by the education of the rising generation in the schools? How better 'diffuse knowledge', and how better spread abroad a knowledge of sanitation and hygiene'?

Surgeon-General Edwards in writing on the subject says :—

'I am very glad to hear that you are continuing to press for the teaching of public health in all schools and colleges. If *only* the people were taught how diseases like cholera, tuberculosis, dysentery, malaria and hookworm are spread, the simple means to prevent the spread and the reason *why*, above

all the reason *why*, the task of the public Health Officer would be a comparatively light one. Without this knowledge measures to improve public health are met with apathy or even hostility.'

In further support of the course I am advocating, I would quote from the opinions of two eminent authorities on the question of combatting disease.

First that of Lieutenant.-Colonel W. Glen Liston, I.M.S., President of the Medical Research Section of the Indian Science Congress held recently in Bombay. I strongly recommend his address entitled 'The Next War—Man *versus* Insects' to those interested in the subject.

As the title indicates, he writes on the connection of insects with the propagation of disease and says :—

'In India at least two-thirds of the preventable diseases can be attributed to their (insects') agency'. He emphasises "the need of educating people in the dangers which the multiplication of insects connote'. He further said that 'more than ten million lives have been sacrificed to plague, an easily preventable disease', requiring amongst other conditions 'the enlightenment of the people as a means of prevention'.

In referring to the teaching of hygiene in schools he says :—

'I fully approve of the recommendations'.

He further writes :—

'How are the masses to be taught that prosperity is intimately connected with sanitation? There are two ways in which this can be accomplished—first by instructing the children in schools" etc., etc.

The second authority I referred to above is Dr. Lankester, Director of the Medical and Sanitation Department, to H. E. H. the Nizam's Government. In a memorandum on the subject of 'Measures for the prevention of Tuberculosis in India' he strongly urges the identical course recommended in my resolution. He says :—

'Closely akin to the establishment of educational organisations is the question of making a vastly extended use of the educational system of the country in the direction of spreading the knowledge of health matters amongst school children and school students.'

Further—

'What is needed is that educational authorities should decide to make the subject of physical health one of the compulsory ones in the educational course at the expense of one of the present compulsory subjects'

Again he writes :—

'When we have actually in existence the machinery devised for the object of dispelling ignorance on the widest possible scale it is surely reasonable to demand that this machinery of education be applied to the most practical and fruitful of ends—that of helping the children and the students of India to grow up with some knowledge of how to keep themselves in health and how to avoid those things which cause sickness and suffering'. 'The mere fact of hygiene becoming regarded as an essential part of the training of thousands of school teachers throughout the country would in itself be a gain of the greatest importance'.

I do not wish for one moment to attempt to minimise the value of what Government has effected in the matter of public health. in fact what has already been done demonstrates the fact of what can be accomplished in that way.

You, my lord, personally are justly earning the admiration of all by th noble efforts you are making in the cause of suffering humanity, and you name will certainly go down to posterity associated with such work.

But when we are told that want of funds stands in the way of sanitar teaching, and when the Education Department says that it cannot accep sanitation as a subject because it already has more subjects than it can d justice to, I suggest that the Educational Department and even Governmen itself as a body fails to appreciate the vast effect which hygiene an sanitation have on the prosperity and well-being of a country.

We planters on our tea gardens are just beginning to appreciate th benefit to be derived from a successful campaign against what your Excellenc terms 'that small but malevolent little parasite, the hookworm'.

We reckon that it adds the equivalent of 25 per cent. to our active labou force, the value of which it is hard to overestimate in these days of scarce labour.

It is one instance of the desirability of endeavouring to educate th people and 'revolutionise their immemorial habits'.

What subject I would ask of the educational authorities is more impor tant than health? The three R's must of course be taught, but without health not to say life itself, no community can prosper or be happy.

My Lord, it is just forty-four years since I first came to this country, as a boy of sixteen. I have spent many happy years here and have been intimately connected with the classes which this resolution is intended to benefit.

I have often watched with the greatest pain and pity poor coolies suffering and dying purely from want of a little knowledge and have felt how helpless a mere individual is.

I have seen the gradual evolution of the people as our Western ideas have been slowly assimilated.

In many ways the change has *not* been for the better, but in this question of sanitation there is no doubt that the West is far in advance of the East and I feel that to further and assist its progress is a *duty* my countrymen and I owe to the land which has given us shelter."

The Hon'ble Mr. Wordsworth said :—

"My lord, this resolution is in effect a continuation or a repetition of a resolution moved in Council at the corresponding meeting of last year; and I take it that the hon'ble mover's present purpose is to obtain from Government a statement of what has been done in consequence of the acceptance of that resolution by the Council. At least, I do not imagine that his sense of courtesy would allow him to suggest the possibility that we have forgotten the obligations which that resolution imposed upon us and that it is necessary to remind us of them. I take it, therefore, that the words in the resolution 'thereby giving effect to the resolution on the same subject which was carried at the meeting of this Council held on the 19th February 1918' do not exactly say what they contemplate. I am prepared to give the Council a brief statement of what has been done, but I would first point out that the teaching of such a subject as sanitation or health is not on a par with

Mr. Wordsworth.

other subjects in the school curriculum. It may be taught in schools; it is taught in schools; but if it is intended to have good results, it must be taught in a different way from other subjects. Sanitation, so far as the education department is concerned, resolves itself into not only formal lessons in schools, lessons in theoretical knowledge, but also certain practical matters which have relation to school buildings, etc. It is useless, for instance, to teach hygiene as a subject in schools unless we can in some way ensure that the lessons shall have some practical visible effect out of school. That is one of the difficulties with which we are necessarily concerned in contemplating a subject of this kind and it is one of the reasons why this resolution was opposed on behalf of Government last year. Since, however, the Council accepted the resolution, we have done the best we could, both in the way of formal instructions in schools, and in the way of attention to buildings, light, cleanliness, external sanitation and all the other external marks of a good school, which we endeavour to effect through our inspecting agency. In this respect we have, I believe, been far from unsuccessful. The work is difficult; it is not always appreciated; and we have often in this Council heard the Education Department attacked as a department which imagines that primary education can be carried on only in marble halls. Although not meant as a compliment I take it as a tribute to the work which our inspecting officers do in their visits to schools, a tribute to the efforts which they make to improve the sanitary and hygienic conditions of the schools under their control. With regard to formal instruction, we have during the last year made a beginning in some directions, and more than a beginning in others. I shall not weary the Council with all the details: suffice it to say that we have had an examination made of available books by a committee of experts, and that those books which find favour have been adopted, prescribed and recommended for various classes in various kinds of schools. We have hygiene taught as a formal subject in practically every kind of school, in primary schools, in middle schools, and also in the lower or vernacular classes of high schools, where we have the power, *i.e.*, where schools are Government schools or aided schools we prescribe it as a compulsory subject. In other schools, we do what we can to have the teaching of hygiene and the fundamental principle of sanitation taught. In the higher classes of school we cannot do much in this connection, for their curricula are determined by the University and it is for the University to decide what subjects shall be included and the Council will remember that it was pointed out a year ago that the Government of India has expressed itself as opposed to the introduction of formal hygienic teaching in the upper classes of high schools, for the reason that with the lack of competent teachers it is likely to become purely theoretical and to be regarded as useful only for examinations

In addition to this we have made arrangements for lectures on hygiene to be given in all training schools and colleges. In this connection, I have to acknowledge a debt of obligation on behalf of the Education Department to the Sanitary Commissioner. He has helped us admirably. Where municipalities employ health officers or sanitary inspectors, we have been able to give competent teaching to elementary teachers under training in guru-training schools, for there are guru-training schools in a large number of these municipalities. A few municipalities have refused our terms, which were briefly, that we provided all the cost of and materials for teaching, the lanterns, the slides, and the acceptance of the municipalities meant responsibility only for breakages. Hon'ble Members will readily understand that it has been difficult in a time like this to procure the necessary materials, lanterns, etc. It was difficult also to obtain teachers, but we have made a beginning in 18 municipalities, and as more lanterns are available, we shall extend this work to a larger number of municipalities. The Sanitary

Rai R. C. Pal Bahadur.

Commissioner has made somewhat similar arrangements in district boards, and there is a considerable hygienic propaganda now carried on in various district boards by lectures given by health officers or sanitary inspectors illustrated by lanterns. Further, the Sanitary Commissioner has agreed to instruct the hygiene teacher of the Sanitary Inspectors Training class to deliver courses of lectures in the two training colleges in the province, and in the normal training schools, also in the training classes at the Dow Hill School at Kurseong, where a certain number of European women are trained for the teaching profession and in the Bethune College for Indian girls in the city of Calcutta. Further, we have already provided in memory of our obligation sufficient money in the next budget to enable us to carry on the scheme and develop what we have begun. The money that the Hon'ble Mr. Irwin asks us to provide has already been provided. We have also provided money in the budget for the appointment of two officers to assist in work of this kind, a deputy sanitary commissioner and a physical adviser to the Education Department. We have already made proposals for the appointment of these officers, and when times are propitious, we expect to have them added to the cadre of the Education Department in this province. Hitherto, for advice in these matters, we have been indebted to the Sanitary Commissioner, and to a gentleman to whom I may now pay a tribute since he has recently left this country for America for good, Dr. Segard, who came out to Bengal as physical director of the Young Men's Christian Association and whose services by an arrangement between the Young Men's Christian Association and the Government were available for the use of the Education Department. For five years he has given us loyal and invaluable service in improving physical education in schools, developing drill, training drill masters and in advising and assisting schools in every way in the improvement of their internal conditions, light, ventilation and sanitation. Now that he has returned to his own land, and will not be coming back to Bengal, I take this opportunity of saying a word of appreciation on behalf of the Education Department. I trust, my Lord, that I have made it clear to the Council that what the hon'ble mover asks for has already been done. He therefore may see his way to withdraw the resolution inasmuch as, if accepted, it will pledge us to a provision which we have already made, and therefore to a double provision which we could not spend."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I rise to support the motion of the Hon'ble Mr. Irwin, and I do so, to thank him for again bringing up this question. When he moved this subject last year, he got the unanimous support of the non-official members, who were particularly grateful to him, coming as he does from the European community, for the great interest and persistency with which he has been advocating this question. I have been reading the proceedings of the Council of February last year, and I find that when Mr. Irwin moved in this Council for the provision for the study of hygiene and sanitation in schools, the Hon'ble, now Lord, Sinha said that the Government sympathised with the object of the resolution, and that they had taken certain steps, and in his reply to Mr. Irwin said that almost from 1911 to 1913-1914 Government had been considering this matter. I find from the proceedings that in 1913 committees were appointed by Government and after long and protracted sittings submitted their proposals recommending that the teaching of sanitation and hygiene should be made compulsory in all schools in Bengal. I find that since 1913 there has been correspondence with the Government of India. I also find that the upshot of the recommendation was that the Government of India and the Government of Bengal practically agreed that such an important subject should receive the attention of Government. The Government of India, however, did not think that it should be made compulsory, but should be optional. Since then, we find

Mr. Irwin: The Hon'ble Maharajadhiraja Bahadur of Burdwan.

that nothing particular has been done, although Lord Sinha expressed his sympathy and the genuine sympathy of the Government last year, but said that the want of funds and trained teachers stood in the way. My Lord, this is a matter in which in this Council, no matter how much we may talk and debate, we cannot do anything. We cannot get trained teachers and funds; that is the outcome of executive energy on the part of the executive Government. I have tried to follow the speech of the hon'ble Director of Public Instruction, but I have not been able to gather how many teachers in hygiene have been trained, and in how many schools in Bengal is the study of hygiene being carried on. So far as Calcutta is concerned, my Lord, if I heard the speech of the hon'ble Director of Public Instruction right, he referred to the Bethune College. I am connected with some of the educational institutions in this city, and I do not think that Calcutta is a place where there should be any difficulty in the teaching of hygiene and sanitation. I believe it is a place where a certain number of fairly trained men are obtainable—I do not say highly trained. I say fairly trained. Therefore I say that this is a subject which ought to engage the more earnest attention of Government. You may spend money on the prevention of malaria taking steps in the direction of anti-malarial measures; you may spend money on other matters relating to sanitation, but I am strongly of opinion, my Lord, that unless a study of hygiene and sanitation is made compulsory, in all schools, and unless the boys are taught the evil effects of bad water, etc., which can best be illustrated not only by lectures but also by practical demonstration, I do not think any great advance in sanitation would be made. I think this is a matter which ought to be taken up more vigorously than has been done. Although the resolution was opposed on the last occasion by Government still I must do Government the credit that it entirely sympathised with the object of the resolution which was ultimately carried in spite of the 'noes' on the other side. I therefore earnestly hope that when that resolution is renewed as it has been with vigour by my hon'ble colleague Mr. Irwin, now the Government will kindly make due provision in the budget of the next year, and also that the Director of Public Instruction in his executive capacity will make arrangements to introduce the study of hygiene and sanitation and see that a number of trained teachers are regularly turned out every year from the guru-training schools."

The Hon'ble Mr. Irwin said :—

"My Lord, I must confess that I am unable to altogether understand the attitude taken by the Hon'ble Mr. Wordsworth on behalf of Government in regard to this resolution. On the one hand, he says that Government has done exactly what I asked, namely, provide funds for carrying out the course I recommend, and, on the other hand, he asks me to withdraw my resolution. He says that the wording of my resolution 'thereby giving effect to the resolution carried at the meeting of this Council on 19th February, 1918' are practically unnecessary. If the hon'ble Member gives me his assurance that Government is doing or is about to do what I ask, and has every intention of continuing to do so in the future, I am quite content, and am quite willing to withdraw my resolution."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, it has been made perfectly clear by the Director of Public Instruction on behalf of Government, that Government having accepted the resolution moved by the Hon'ble Mr. Irwin last year, it has provided the funds that it thinks necessary for the present. He has given the assurance that he is going ahead with this most important question of hygiene, and I can assure the Hon'ble Mr. Irwin that Government is not likely to

Rai Mahendra Chandra Mitra Bahadur.

lose sight of the matter, and I hope that, given this assurance, he will not now press for his resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 17.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that arrangements be made by Government at an early date for accommodating a larger number of regular students for admission into the Medical College, Calcutta, from the commencement of the next session ; and

(*b*) that the Belgachia Medical College be permitted by Government to take a larger number of students for the Preliminary Scientific M. B. Examination of the Calcutta University.

He said :—

"My Lord, from the printed Annual Reports of the Medical College, Calcutta, for the years 1916-17 and 1917-18, published by the Hon'ble Surgeon-General with the Government of Bengal, I understand that 707 applications for admission to this College were received at the commencement of the session in 1916. Out of these 167 were admitted to the College. Again, 830 applications for admission to this College were received at the commencement of the session in 1917. Out of these 140 were admitted to the College, the total number of new students admitted being 161, of which 18 were sent by Bihar and Orissa Government and 6 by the Assam Government. From the reply to unstarred question No. 24, asked by me at the meeting of the Council held on the 21st January last, I understand that a very large number of students has been refused admission into the Medical College from the year 1910 to 1918. The existing arrangement regarding the admission of a limited number of students into the Calcutta Medical College and Belgachia Medical College is quite insufficient to meet the growing demand for the whole of the Presidency of Bengal, and it is high time that necessary arrangement should be made by your Excellency's Government for accommodating a larger number of regular students for admission into the Medical College, Calcutta, from the commencement of the next session.

With these few remarks, I beg to move this resolution for acceptance by your Excellency's Council.

My Lord, with reference to the second part of the resolution marked (*b*) regarding admission of a larger number of students into the Belgachia Medical College, I understand that provisional affiliation of this College to the University of Calcutta up to the Preliminary Scientific M. B. Examination, was granted in April 1916. The College was formally opened by your Excellency's predecessor Lord Carmichael in July 1916. At first the College was permitted to take only 48 students for the Preliminary Scientific M. B. Examination and that number was filled up from about 400 applications. Later on, the College was permitted to take 60 and at present this College is permitted to take 100 students for the Preliminary Scientific M. B. Examination.

Having regard to the resources of this College, I think that the number 100 is sufficient for the present.

Rai Radha Charan Pal Bahadur; The President; Sir Nilratan Sirkar; Major-General Robinson.

Under the circumstances, I beg leave to withdraw this portion of my resolution marked (*b*).

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, should these two resolutions be moved together?

The President said :—

"Yes, the hon'ble Member has his resolution in two halves. It is in order for him to move both together."

The Hon'ble Sir Nilratan Sarkar said :—

"My Lord, this resolution has got two most important aspects, one being financial and the other relating to the educational policy. As regards the second one, which is the more important one, I think the question is still open and it has not been definitely decided whether the number of medical graduates should be indefinitely increased or not. I confess that I am in perfect sympathy with any proposal that would seek to increase the number of medical graduates of the University.

But supposing that a large expansion of collegiate medical education is necessary, the question remains to be decided whether there should be another centre started elsewhere, or whether the present centres of higher medical education should be increased in dimensions. I would, under such circumstances, be strongly in favour of having a centre in Dacca either independent of the existing centre in Calcutta or working in association with them. That question apart, there is the financial aspect also. I believe there is a misapprehension in some quarters as to the financial necessities involved in medical education. We want to add another 50 students every year to the rolls of the Medical College. That would mean an increase of 300 students in six years and if the Government were to pay Rs. 100 per year, for every student, it would be a huge sum every year. Medical education is not like ordinary education. In order to train one medical student there must be proper equipment for him in at least six different laboratories,—viz., the Chemical, Physical, Biological, Physiological, Pathological and Bacteriological laboratories, and even then the question would still remain whether there was sufficient opening in the dissecting rooms, class rooms and the hospitals. If we go on indefinitely increasing the number of students in the Medical Colleges, the result will be that our students will get an indifferent sort of training and our qualifications will not be accepted as high enough in foreign countries, and particularly in Great Britain where it is necessary, in the interests of the medical profession, that our qualifications should be elegible for registration.

Having regard to these circumstances, I think I should oppose this resolution strongly. If it be settled that the University should admit a larger number of medical students I would request my Hon'ble friend the mover to collect money and start a fresh college. I have often found that our people are quite willing to come forward with subscriptions and contributions for the extension of collegiate education in arts and sciences. Several second grade colleges are being started in the mufassal. I only wish that a portion of this money devoted to the extension of medical education."

The Hon'ble Major-General Robinson said :—

"My lord, in opposing this resolution, on behalf of Government, I would like to quote some remarks made by my predecessor, Surgeon-General Edwards, in the Annual Report of the Medical College for 1916-17. He

remarked that during the year (1917-18), '56 extra students were admitted,' making a total of 1,040, which is more than double the number (502), in 1907-08. The maximum is now reached. The patients will suffer if there is any further increase in the number of students.'

The position has in no way changed, there are now 1,041 civil students on the rolls and 52 military pupils.

The hon'ble mover of the resolution, in spite of his having collected much information as regards medical matters, ignores the fact that medical instruction necessitates the provision of 'sufficient cases' or 'clinical material' for instructional purposes.

The Medical College consists of two institutions, the hospital where practical instruction is given in actual medicine and surgery and the allied subjects, and the Medical College where instruction is given in the preliminary subjects, as anatomy, physiology, etc.

These two branches of medical training cannot be separated. It is therefore impossible to admit more students for the 'earlier' courses than can subsequently be taught the higher subjects in the wards.

As anyone can see who wishes, the wards of the Medical College Hospital are hopelessly overcrowded with students, and to an extent that is unknown in any Western hospital. Yet we are pressed to admit more and more students.

Even as matters now stand, patients are subjected to an amount of 'handling' by the students that would be strongly resented in any other country.

It should never be forgotten that a hospital is primarily for the treatment of the sick poor and only secondarily for the instruction of students nothing can be allowed therefore to interfere with the essential functions of a hospital. It follows, therefore, that no more students can be admitted than there are at present. Naturally, therefore, no more can be admitted into the College.

Even apart from the hospital side of the question every available seat in the laboratories is always fully occupied and already 'repeat' classes of batches of students are held to cope with the huge classes for practical work. The College buildings can only be extended at enormous expense owing to their surroundings, and sites for hospital extension would be a matter of very considerable expense and considerable delay. The present Medical College and Hospital group is about as unwieldy as any such institution can well be and at present is by far the largest in the world. The present annual expenditure is somewhere about Rs. 8,00,000.

As regards the second portion of the resolution, I do not think that it is necessary for me to say anything, as the hon'ble mover has asked leave to withdraw it."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, in a matter like this Government and the public must be entirely at the hands of experts and when two experts of the eminence of the Hon'ble Sir Nilratan Sarkar and Major-General Robinson have spoken, so far as the resolution is concerned, we cannot do anything. But the opposition that has been offered to the resolution raises some important issues to which the lay public cannot shut its eyes. I do not, for instance, understand

Sir Nilratan Sarkar.

the position of the Hon'ble Sir Nilratan Sarkar when he doubts the expediency of indefinitely adding to highly qualified medical practitioners. My Lord, a little while ago I and my friend went into the question in some detail and we found that between qualified, semi-qualified and quarter-qualified medical men Bengal has one medical man to 40 square miles and for about 15,000 to 20,000 people. My learned friend shakes his head and approves of the correctness of the figure. Can it be said that we have arrived at a stage when the non-official head of the medical profession in Calcutta can say that it is doubtful whether an indefinite expansion of the medical education should be allowed to go on or not. That is on the education side of the question. The more important financial side of the aspect should not be lost sight of, and it is more than doubtful whether the Medical College on its present site can go on indefinitely expanding. But whether some effort should be made to give some relief to the Medical College is a consideration that has suggested itself to some of us. What Major-General Robinson has said would be an excellent ground for not only reducing the number of students but for abolishing the training of students altogether, because no patient likes handling by medical students of the boisterous type, but even with the type of students that we have got now there is much of rough handling that patients are not willing to submit to. Well, that is a good consideration for abolishing the Medical College altogether, or we should find other means—a pauper hospital should not serve the purpose of instruction. I know that is a difficulty that has to be overcome because the country has by no means an adequate number of qualified men. The hon'ble mover of the resolution is in error with regard to the number of students now allowed in the Belgachia College. The number is not 48 but 72, and if the class arrangements and the hospital arrangements could be amplified further, I am sure that on the recommendation of the Medical Inspector there will not be much difficulty in raising it to 100, but that, I may remind the hon'ble Member, is not a matter in which Government can help directly or indirectly by assisting the management in the matter of providing more hostel accommodation and more teachers. These are matters, My Lord, that require a little careful looking into, but even if the number can be raised to 100 it can certainly be in Belgachia. My hon'ble friend Sir Nilratan Sarkar and myself who are members of the Governing Body there, would, I am sure, be very glad to take up the question if either from the public or from the Government more assistance was to come. We cannot complain that either the public or the Government have been niggardly in their assistance in building up a non-official Medical College which I hope will be a lasting monument of the education enterprise of Bengal for a long time to come. Sir Nilratan Sarkar has suggested that we should appeal to the public for help. I do not think even he can complain as Belgachia has had a certain amount of public help, and I think that it is not likely to have less response if my friend Sir Nilratan Sarkar were to take up the matter of assisting the Belgachia management in getting more hospital accommodation and better teaching.

My Lord, the question of the Dacca Medical School—although it does not arise out of the resolution—is certainly one which calls for serious consideration. Dacca has been wanting something big in the way of educational institutions, and if we can in not a very distant future give Dacca a properly equipped medical college, the strain on the Calcutta colleges will be less and the relief will be appreciable. But whatever that may be, we cannot allow efficiency to suffer at all, and irresponsible increase in the number of students in the way suggested by the resolution cannot be thought of. As I have said, the question is one which ought to engage our serious attention and cannot be brushed aside by considerations like those that have been put forward by the Hon'ble Sir Nilratan Sarkar."

The Hon'ble Sir Nilratan Sarkar said :—

"My Lord, may I say a few words by way of explanation. As regards the further extension of the collegiate medical education I am not at all against

Sir Deba Prasad Sarbadhikari; Rai Radha Charan Pal Bahadur; The President.

it—I am strongly for it. When I said that the question had not yet been decided, I referred to circumstances which I think are known to the Hon'ble Sir Deba Prasad Sarbadhikari and to myself also that the question was being discussed and decided elsewhere and Government could not do anything at this stage. I said even if it is decided that Bengal should have further extension of collegiate medical education, the other question will arise whether all the centres of such medical education should be located in Calcutta even by increasing the size of some of them indefinitely or whether at least one centre should not be started elsewhere and preferably to Dacca."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"I am very glad to stand corrected and should like to work shoulder to shoulder with Dr. Sarkar whatever may be decided."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, after the speech that has been delivered by General Robinson I do not think that the resolution which my hon'ble freind Babu Mahendra Chandra Mitra has moved need be pressed, but as has been observed by Sir Deba Prasad Sarbadhikari—and that was what was exactly in my mind—I would like to say that from my personal experience the want of facilities for medical education in this country is now keenly felt, and in fact the want has been growing for some time. The figures, as compiled by my hon'ble friend, if they are correct, show that out of 830 applications in 1917, 140 were admitted, and in 1916 out of 707 applications 177 were admitted in the Medical College. I want to acquaint your Excellency with the experience of some citizens who take an interest in the affairs of our country and in the well being of our community."

The President said :—

"Is the hon'ble member putting forward an argument in favour of or against the resolution? I do not quite see its bearing on the resolution."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, what I want to say is that the want of accommodation in the Medical College has opened up the question of providing for medical education at other centres. That is a point which has been urged upon your Excellency by the two previous speakers."

The President said :—

"I did not call the other two speakers to order, but the speech of the hon'ble Member upon the question does not concern this particular resolution. If the hon'ble Member wants to give an illustration in order to support an argument either for or against the resolution which is before the Council, he may do so. But it seems to me that the hon'ble Member was not doing that: he seemed to be making a speech on the necessity of increasing colleges in Bengal, which could hardly be allowed on this resolution."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I do not wish to take up the time of this Council by making further observations on this subject. As I have said, the reply of the Hon'ble Major-General Robinson disposes of the question of the Medical College, but

it incidentally raises the question which I wanted to submit to the Council. As I shall not be in order in doing so, I shall reserve my observations for a future occasion."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, my resolution is in effect to allow a larger number of regular students for admission into the Medical College. I have submitted my figures to the Council and they show that a larger number of students are not admitted to the college. The demand is very heavy and there ought to be a supply. In this view I am pressing this resolution for the consideration of the Council. We should not bind ourselves by side-issues but the main question is before the Council. The Hon'ble Sir Nilratan Sarkar considers that there cannot now be any further accommodation for students, but my submission is that, as the demand is very heavy, your Excellency's Government will have to consider the question whether a larger number of students should be allowed to the Medical College and whether some means should be found by which that can be done. That is the object of my resolution and I do press it for the consideration of the Council.

With regard to Belgachia I have already asked your Excellency's permission to withdraw it."

The President said :—

"As the Hon'ble Member wishes to withdraw the second portion of his resolution, I will put the first portion to the Council."

Clause (*a*) of the resolution was then put and lost, and clause (*b*) of the resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 18.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur also moved the following resolution :—

This Council recommends to the Governor in Council that Government do take steps in connection with the high price of cloth and food-stuffs on the lines of action and policy adopted by the Government of Bihar and Orissa.

He said :—

"My Lord, it is already well-known to your Excellency's Government that owing to the high price of cloth and food-stuffs the suffering of the poor raiyats and persons on small fixed incomes is evidently on the increase. The retail price of cloth in the interior of districts has again risen very high. Owing to various causes the retail price of common rice and other food-grains has risen rapidly since the middle of last year. On the other hand, a few raiyats who had surplus stocks of food-grains for disposal have benefited by the rise to some extent, but in the majority of cases their stocks have been so much depleted as not to be sufficient for themselves.

I give the substance of the speech delivered by Sir Edward Gait, the Lieutenant-Governor of Bihar and Orissa, at the meeting of the Bihar Legislative Council held on 22nd January last.

His Honour fully explained to the Council the action and policy of his Government and informed the Council of the steps which are being taken in connection with the price of cloth and food-stuffs.

Mr. Crum.

His Honour has remarked as follows :—'Owing to various causes connected with the war, there has been a general and marked rise of price throughout the world, and this rise has been specially serious in India. * * For many years past, it has been the accepted policy of Government to avoid all interference with the ordinary course of trade, and it was held that any attempt to keep down prices by artificial means would be certain to lead to a greater trouble than that which it was desired to avoid. This principle, however, has frequently been departed from in England under the stress of the war and it is now realized that Government can often intervene with success, at any rate in the large class of cases where the conditions are not wholly or mainly due to economic causes. * * *'.

His Honour informed the Council of the fact that, as the dealers in the mufassal showed no disposition to bring down their rates to those prevailing in the Presidency towns, the Local Government decided to purchase cloth in the Calcutta market for sale in the various districts within His Honour's jurisdiction. Since the middle of November Mr. Reid, who as Magistrate of Patna had already done good work, purchased several million yards of cloth which were sold locally at 30 to 40 per cent. below the prevailing prices. The people in this way saved several lakhs of rupees which would otherwise have gone to the trade. The method of distribution varied according to the local conditions ; in some cases cloth was sold on commission and in others voluntary agencies were appointed, but the most popular system had been the sale directed by Government at the public offices. The popularity of these sales may be gauged by the fact that cloth to the value of nearly Rs. 2,000 was sold at the Patna cutchery in a single day. A certain quantity of imported cloth purchased in Calcutta together with some standard cloth, which Mr. Reid has obtained as a voluntary basis, will certainly meet the most urgent demand pending the arrival of the standard cloth in sufficient quantity. Mr. Reid has also succeeded in obtaining some cloth of superior quality for the use of the better classes, and that also is now being placed in the market.

The war is also responsible for unprecedentedly high prices of food-stuffs and I understand that Your Excellency's Government has taken some effective steps in connection with the transit of food-stuffs from one place to another. I may add that this system of controlling food-stuffs is still in the experimental stage ; the difficulties of interfering with established trade routes are very great, and it remains to be seen whether the advantages to be gained from it outweigh the obvious difficulties. The workers in mills can afford to pay for higher prices than the ill-paid labourers in the interior of the districts, and if exports are unrestricted, the latter tracts might be denuded of their reserves of food which it would be impossible later on to replace.

With these remarks, I beg to commend this resolution for acceptance by your Excellency's Council."

The Hon'ble Mr. Crum said :—

"My Lord, as a member of the committee which was appointed by Government in the middle of last year to examine the question of the prices of cotton cloth, I should like to say a few words about the present position. The Committee at that time recommended to the Government of India through the Government of Bengal that standard cloth of such pattern as will be as cheap as possible should be produced ; in fact, the Committee recommended a direct interference with the trade—an interference which as the Hon'ble Member has told us in his quotation from the speech of Sir Edward Gait is only justified by abnormal and exceptional circumstances. What I should like to try to show to you is that the abnormal and exceptional circumstances did exist in July, August and September 1918, and to the same extent

they do not exist now. When we examined the position in the middle of last year, we found that the stocks of cloth in Calcutta were very considerable and that they were not going to the bazar for consumption and the reason for that was that they were being bought up by people who had no connection whatever with the cloth market. People in Calcutta and elsewhere were buying considerable number of bales and putting them into their godowns, houses and kitchen even with no intention of selling, because they were told that there was every likelihood of the prices going up and of a good prospect of profit. At the same time the prices of the Manchester cloths were rising as well as the prices of the Bombay cloth. In fact the price of cloth for India was being forced up owing to the abnormal conditions of the war. Well, at that time there were no signs of peace and we recommended that in order to stop the speculation the dealers in Calcutta should be registered and nobody else should be allowed to deal in cloth, and also recommended that standard cloth should be purchased from the Bombay Mills by Government with a view to selling it to the very poor people. Prices of ordinary *dhuti* had risen from about Rs 5-3 in April to as high as Rs. 7-11 in the middle of August and it was quite evident that the people could not afford to pay for this cloth. The figures for Railway despatches and boat despatches, which were exceedingly small, showed that the cloth did not really go into consumption. The position, I maintain, has entirely changed since then. On the armistice being declared or a little before that prices began to fall, and they fell in Calcutta very rapidly indeed, till about the beginning of December they reached somewhat the level of 40 per cent. below the highest price.

Then demand began and the prices rose again gradually till the beginning of January, when they again fell with the fall in the price of cotton and the price of cloth all over the world, and the particular cloth which I quote to you as being about Rs. 7-11 in the middle of September is now down to Rs. 5-3, which is the same price as in April last year. But what is really a much more significant point with regard to the present situation is the fact that cloth is really now going into consumption, and people are buying, and I have got some figures for the deliveries from Calcutta for the last five months during 1917-18.

From September to November, which, as you all know, is the busy season of the year, I mean the Pooja season, when we expect the heaviest deliveries of goods from Calcutta, there were in 1917, 71,000 packages delivered from Calcutta, and in 1918 in the same months there were only 27,000 packages. That shows pretty clearly that the prices during that time rose to a high level, so high that the people could not afford to pay for their cloth. In December 1917 we find 12,000 packages sent away, and in 1918 13,265 packages. Prices had fallen considerably by December, and during December they were at their lowest. In January which is not ordinarily a month for very big demands, the figures of 1918 were nearly 7,500, but for 1919, this year, they were 22,000. In fact the deliveries from Calcutta during the month of January were bigger than in any month back to October 1917. They were actually bigger than any deliveries in January for the last four years and the demand is still exceedingly brisk, and the figures for February will probably exceed the figures for January.

I think that proves pretty clearly that we have got to settled prices now at which, generally speaking, the people can afford to buy the goods, and under the circumstances I very much deprecate any interference with the regular trade. You have got to remember what the dangers of this interference are. First of all India produces in normal years only about a third of her consumption of cloth, two-thirds coming from outside. During the last two

years the production has been about half and half, while the stocks of piece-goods in Calcutta are not as big as they were four or five months ago; deliveries, on the whole, as far as we can make out, have exceeded the supplies. There is practically nothing to arrive in Calcutta after the end of April. If you wanted to buy any first class cloth from Manchester, you would not be able to buy for shipment before the end of April, and that means that the goods cannot arrive here much before July—towards the middle or end of July. I do not think that this is the case with every kind of cloth: some of it you might not be able to buy for even such near delivery; if you introduce at this stage anything like a standard cloth, you are not going to do a very great deal of good to a very large number of people. The price of standard cloth is not, as a matter of fact, much below that for ordinary cloth here in the bazar, and you are going to frighten trade, and the result will be that the equilibrium which is now showing signs of being established between Manchester and Calcutta will again be upset, and dealers will be frightened, and they won't buy, and in another six months' time, if no more business is done, the position here may really become rather serious, not only from actual shortage of cloth, but from other important items too. It has already happened in one or two small instances; they are unimportant, but I give you the instance of one cloth which is being still very largely sold in the bazar; it is cloth imported by Ralli Brothers with a half-inch coloured border, which is selling at 6 annas cheaper than that with a tape border, which ought to be 1 anna 6 pies cheaper than the cloth with a half-inch border. There just happens to be a shortage, and so if you go too far to force this market not to do as it wants by allowing Government to interfere too much, you may have a state of affairs which will be considerably worse than it ever has been in the past. For this reason, because the position is so entirely different now to what it was in the middle of last year, I strongly recommend that nothing is done to interfere so far as cloth is concerned."

The Hon'ble Babu Brajendra Kishore Ray Chaudhuri said:—

"My Lord, I desire to associate myself with this resolution which has my hearty support. The economic condition of Bengal is growing more and more serious. From the statements made in this Council from time to time it appears that the cloth problem is becoming acute and I have seen with my own eyes the distress of the poor people in the mufassal. Some energetic action on the part of Government seems to be desirable at least for the purpose of controlling the market and granting relief to the poor people. I understand that in the Presidency of Bombay Government have induced the local bodies to make arrangements for the sale of food-grains at cost price. The plucky action of the Government of Bihar and Orissa in this connection has gained popular admiration and I hope that the Government of Bengal will adopt measures on similar lines."

The Hon'ble Sir Henry Wheeler said:—

"My Lord, I am sorry to take up the time of the Council, but the subject of this resolution has attracted much attention, and I should like to take the opportunity of explaining what the local Government has done and is doing in respect of it, especially since, from the wording of the resolution and the comments which we see in the press and elsewhere, it seems to be thought in some quarters that there is here in Bengal a supine local Government which has very little regard to the sufferings of the poor, whereas on our west, in Bihar and Orissa, we have an energetic local Government which is working marvels in this respect.

Sir Henry Wheeler.

The resolution raises the two questions of food-stuffs and cloth, and I will deal with that of food-stuffs first; but in connection both with that and with cloth, it is well that the Council should bear in mind precisely what the agricultural conditions of the province are at this moment. These were explained in a *communiqué* which has only just issued and which doubtless, Hon'ble Members have read; so I can avoid repetition, but it is to be remembered that although there has been a monsoon failure and agricultural conditions are admittedly unfavourable, yet it is only in the district of Bankura and the Brahmanberia subdivision of Tippera that, at the moment, there is cause for apprehension of actual scarcity. We are in this respect a great deal better off than the United Provinces or Bombay, or even Bihar and Orissa and the Central Provinces. We know that prices both of food-stuffs and cotton cloth are everywhere abnormally high, pressing hardly both on the rich and the poor, but obviously more hardly on the poor. Such circumstances are, of course, unfortunate and regrettable, but it must be remembered that for about four years the whole world has been so suffering. We cannot bring about a revolutionary remedy, do what we will.

Turning to what has been done in the matter of food-stuffs, I would like to make it clear at the outset, that this is not solely a provincial matter; it is certainly an all-India question, and it is indeed a matter concerning the whole world, as various orders that have been passed affect exports to countries outside India. Therefore we cannot deal with it with entire disregard to other provinces, and in fact the orders applicable are binding on Bihar and Orissa equally with ourselves. In the past few months Bihar and Orissa have taken action in two directions, different from what we have done. They attempted, as far as we understand, to control the movement of grain as between districts within the province, although our information is that they got into some difficulty in so doing and withdrew their orders. Secondly, they did at one time stop the export of gram altogether from Bihar and Orissa, but that led to intervention on the part of the Government of India, to which I shall refer again in noticing briefly the orders which have been passed from time to time, and which, I would repeat, are binding on both provinces alike. When, therefore, the resolution asks us to emulate the example of Bihar and Orissa, it presumably refers to the action of that province in these two respects, but for the understanding of the possibility or desirability of our doing so, we should recall what the various orders of the Government of India have been.

When it became evident that the monsoon of 1918 was going to be a failure, and the crop prospects dangerous, the first action taken by the Secretary of State, as announced in a *communiqué*, dated the 7th October, was to stop all wheat purchases for export overseas except for Mesopotamia, the justification of this step being to conserve for use in the deficit provinces of India such supplies of wheat and other food-stuffs as were not immediately required for local consumption in those provinces which had a surplus. This is an instance of what I referred to as the all-world character of the question. This measure was supplemented by the Government of India by the appointment of a Food-stuffs Commissioner for all India with the object of securing the most effective distribution of the supply of wheat, rice and other food-stuffs which were not required for local consumption in the surplus provinces. To begin with, this Commissioner only dealt with wheat and rice, though apart from his direct transactions, he watched carefully the courses of events. The essential part of the system was that, on the information available to him from all India, he decided what quantities of wheat and rice might be imported to a deficit province from a surplus province, control being exercised by the requirement of a certificate to import by rail, signed by the Director of Civil Supplies, and countersigned by the corresponding Director in the province of export.

Sir Henry Wheeler.

The Government of India made it clear at the outset that in respect of rice Bengal would not be allowed to close down export so as to keep all available stocks within its borders, and while shortly afterwards, first in the case of the United Provinces and the Punjab and a little later in the case of all provinces, they allowed local Governments to prohibit the export of food-grains, other than wheat and rice, from their jurisdictions except under certificate; they definitely said that they would not allow the powers thus conferred to be so exercised as to apply an absolute and uncontrolled embargo upon all exports of food-stuffs. The final say as regards inter-provincial distribution was therefore vested in the Food-stuffs Commissioner, who was intended to look at the question from the standpoint of all India. Those are the original orders which concerned the whole country. In November 1918 we attempted to take a census of rice stocks and returns were compiled, but for various incidental reasons, into which I need not go, the collection of accurate figures was very difficult, and I am afraid that the returns could not be regarded as complete. However, we took them for what they were worth, and they showed that we had surplus stocks of rice in this province. Subsequent to that date, the Food-stuffs Commissioner took over control of gram in addition to wheat and rice, so that now he deals with wheat, rice and gram. On the 25th of January the Government of India modified their policy in one material respect, and, while leaving wheat, rice and gram to be regulated by the Special Commissioner, withdrew the powers of local Governments to impose restrictions on the movement of food-grains outside their provinces. In order to prevent speculation, they still required the countersignature of the local Director of Civil Supplies before food-grains could be imported, so as to endeavour to confine the trade to *bona fide* dealers. Some of the reasons which they gave for their action are relevant to the whole theory of control, and bear out what I have urged on another occasion in this Council, namely, that control is a very tricky panacea which may land us in unexpected difficulties. This is exemplified by the following extracts from their orders : —

'The present system of food control has been assailed on various grounds. In the first place, it is represented that its interference with the normal channels of trade has conduced to a deficiency of supplies in areas where they are most needed, and that the difficulties and delay attendant on the opening of new channels must inevitably conduce to a rise in prices. Secondly, the delay involved in the issue and countersignature of priority certificates has intensified the difficulty of obtaining supplies, while it is a frequent experience that a merchant after obtaining a priority certificate does not utilise it, and supplies which were expected have accordingly not come forward. Thirdly, and this is the ground on which the system of food control has been most seriously attacked, it is represented that an artificial shortage of supplies and an artificial high level of prices have been created by the restrictions in traffic, and particularly by those imposed by provincial Governments in respect of food-grains other than those the movements of which are directed under the control of the Government of India.'

The Government of India then go on to say :—

'They are aware that in certain areas the system of control is believed to have had good results in moderating or stabilizing prices, and they are fully alive to the probability that the removal of restrictions on the movement of food-stuffs will be followed by a rise of prices in some of the supplying areas, without perhaps a corresponding fall in the areas to which the supplies will be moved. On the other hand, they are faced with the very grave risk that, particularly in respect of those food-grains, the export of which is subject to provincial restrictions, certain areas, especially in Western India, may find themselves in a condition of serious deficit * * * * *.

They have, however, decided to retain for the present their control in respect of wheat, rice and gram, and this decision is in accordance with the views of those heads of provinces whom it was possible to consult. But in respect of other food-grains they have come to the conclusion that the dangers inherent in the restrictions imposed by provincial Governments are greater than those to be apprehended from the removal of these restrictions, and they have therefore decided to remove them.'

These quotations, I think, will show the Council that control is a difficult matter, and that while it is quite easy to say 'Let us control and all will be well,' it is equally easy by ill-advised control to make things worse rather than better. That is the position. We have the Government of India with their Food-stuffs Commissioner controlling wheat, rice and gram, and we are not allowed, as a province, to impose restrictions on the movements of other grains outside our boundaries. Taking the main staple rice, we are of course interested, mainly as an exporting province, and I do not know whether the idea underlying this resolution is that we should go to the Government of India and say that in respect of rice we do not wish to export any more to other provinces. That seems to be the suggestion which the resolution embodies. But I put it to the Council that it would not be practicable for us to make out a case to the Government of India for action at the present moment on these lines, apart from the fact that it might lead to retaliation from other provinces in respect of grains which we want from them, especially in the cases of wheat and pulses in which the rise in price has been far greater than the rise in the price of rice. The Revenue Department answered a question touching the rise in the price of rice not very long ago, and I read this extract from it.

'If anything, wholesale prices (of rice) in the first fortnight of November are less than those which prevailed during the same period in the five years preceding 1917. Retail prices differ little from those prevailing at the same time in the years 1914, 1915 and 1916. They fell in 1917 and the first half of this year considerably on account of an abundant harvest last season. In July or August they began to rise again to the present level which, though it may be called high, cannot in these circumstances be termed unusual.'

This is very clearly borne out by the graph which I hold here, and from which you will see that from 1911 prices rose steadily till 1913, and kept on a fairly high level through 1914 and 1915, rising even higher between September and December of the latter year. At the end of 1915 prices came down considerably, and kept fairly steady till the end of 1916. They then fell again and steadied on approximately the same level until about October 1917. Then we have a big drop nearly down to the level of 1911, and, while recently prices have risen again, they are not yet up to the level of 1913 or 1915. In the face of that record of prices, I submit that it will be impossible to go to the Government of India and say we want to close down the export of rice from Bengal. All that we can do, we are doing. We are watching the traffic in rice, seeing how much goes out of the province, and keeping the Food-stuffs Commissioner informed of the facts. He is also watching circumstances in Bengal and other provinces, but beyond that, for the moment, we cannot very well go. That is as regards our export trade. Of course as regards our import trade, we are particularly interested in wheat, gram and pulses, the prices of which are unfortunately very high. We want to get as much as we can from other provinces, but nothing that we can do will remedy the factors making for high prices, namely, the failure of the crops due to a deficient monsoon and the decrease in the purchasing power of money. Therefore, as regards the external traffic in food-stuffs, I doubt if we can do more than we are at present doing, and I again repeat that the Bihar and Orissa Government

Sir Henry Wheeler.

are bound by the same orders as we are. As regards traffic within the province itself, it is extraordinarily difficult to regulate, bearing in mind the very large river traffic in Eastern Bengal, which is almost beyond control, and road traffic in Western Bengal, and at the moment no actual case of necessity has as yet arisen. Should it arise in any area, such as Bankura, where scarcity is threatened, we will take the necessary steps, but for the moment our attitude is one of watching developments.

Well, so much as regards food-stuffs. I now pass to the case of cloth. Fortunately Mr. Crum has stated various relevant facts in this connection, which I need not recapitulate, but before taking the Council through the story of cloth, I would invite attention to a *communiqué* from the Government of India which appeared in to-day's paper, and which bears upon the present resolution. It runs :—

'In view of certain misapprehensions which appear to be entertained as to the exact effect of the recent action taken in regard to the manufacture of standard cloth, the Government of India consider it desirable again to draw attention to the fact that standard cloth is meant for sale to the poorer classes for the relief of distress, and they have no intention of interfering with legitimate trade or of attempting to supply cloth for general consumption.

That is relevant as indicating the limitations which affect any system of control in the matter of cloth, while no system of control can remedy the fundamental fact that we are dependent upon Manchester for a large portion of our supplies, and that Manchester rates are still materially above those prevailing in Calcutta. These are the cardinal facts. But I would like, as in the case of food-stuffs, to indicate what we have done in order to combat the idea that we have done nothing.

In February 1918, this Government first put forward the possibility of concentrating manufacture on certain standard varieties of cloth, and in July 1918 we took a census of stocks in Calcutta. I merely mention this matter as indicating that we have kept a watch on the Calcutta market during the whole of this year. It will be remembered that in July last a motion for an enquiry by a Committee was accepted in this Council, and that Committee sat. Meanwhile, the Government of India had been discussing the question in consultation with a special Bombay committee; and in their *communiqué* of the 24th August they announced the intention of attempting the manufacture of standardized cloth for the assistance of the very poor. We thereupon put in train detailed arrangements for local distribution and got out estimates of the quantities likely to be required. But while we were doing so, the price of cloth fell suddenly to an extent that made it impossible to put standardized cloth on the market, and action in that direction was suspended. About the same period, in order to check the speculation which was going on in the Calcutta market—to which the Hon'ble Mr. Crum has made a reference,—we decided to license wholesale transactions in Calcutta, and appointed a Cotton Advisory Committee on the 1st October, with which we have been in close touch ever since. The Committee issued some 1,700 licenses, and it was largely owing to the action so taken—though there were other contributory causes—that the market fell, in a somewhat dramatic way, to an extent which, for the moment, rendered the manufacture of standardized cloth unnecessary. Since then our attitude has been one of watching the course of trade, and of getting the best information we can as regards the probabilities of the situation so as to be able to decide from time to time whether or not to take further action. Hitherto we have not done anything further, while

Sir Henry Wheeler.

that Bihar and Orissa, the Punjab and the United Provinces, have undertaken the supply of standard cloth. Bihar and Orissa was the first province to do so, and at the beginning what they did was to buy cheap cloth in Calcutta at the time when prices had fallen; they then attempted an experiment with standardized cloth which they have since somewhat enlarged. The United Provinces took a few bales of standardized cloth for experimental purposes, and have since taken more, as also did the Punjab, where sales are effected through the agency of municipalities and co-operative credit societies. We are not unfortunately completely posted as to the reasons why these provinces took action; but I would draw the attention of the Council to certain considerations which, as far as we know, weighed with them, as would appear from Sir Edward Gait's speech. Owing to the unfavourable agricultural conditions the price of cloth was, at least in Bihar, beyond the reach of certain of the poorer sections of the people; and owing to the absence of an efficient and independent system of supply district prices did not respond to the fall in Calcutta rates. Prices in the mufassal were higher than they ought to have been, having regard to the situation in Calcutta. That seems to have been the main reason why Bihar and Orissa thought it necessary to take the action which they did, but it is not a reason which is equally applicable to Bengal, and it is a somewhat noticeable fact that at present neither Bombay, Madras nor the Central Provinces have embarked upon the importation of standardized cloth. However, as certain other provinces have done so, Hon'ble Members naturally ask why should not Bengal do the same? To understand the reason of our inaction, we must look at the recent course of prices, regarding which the Hon'ble Mr. Crum has given particulars. Taking the imported *dhuti* in Calcutta, this touched its highest level about the third week of September. It then started to fall and came down to the lowest level in the beginning of December: but that was not a normal trade price, as it was largely due to outside factors, such as the forced sale by auction of consignments which had been ordered but of which delivery was not taken: in fact, at that time, there was some apprehension of the complete demoralisation of the market, though it steadied, largely owing to the action of the Bihar and Orissa Government in buying cloths which tended to put prices up. Things then recovered, and prices rose to high-water mark about the middle of January, though the level was still substantially lower than in September. Since then the market has been fairly steady. Unlike Bihar and Orissa, our mufassal prices have, as a general statement, fluctuated fairly consistently with fluctuations in Calcutta, which constitutes a marked difference between the districts of Bihar and Orissa and those of Bengal. To the best of our information, goods are not being improperly withheld from the market and there is not at present the improper speculation which there was when we took action in issuing licenses to wholesale dealers.

These being the conditions, what we have to make up our minds about is whether it is wise to trust to the ordinary developments of trade and the restoration of normal conditions, or to intervene on the lines that have been followed in three other provinces. For the present, we have thought it best not to follow the example of Bihar and Orissa, the Punjab and the United Provinces. Two other facts have largely influenced us in this conclusion. In the first place, we could not put standardized cloth from Bombay on the Calcutta market at as cheap a price as the cheapest variety which is now on sale there—the *Banga Lakshmi* cloth—even though the supply of that is admittedly limited and the quality, I believe, coarse. The second fact is this, that we could not put standard cloth on the market at a price that would be more than 3 to 4 annas cheaper than the cheapest kinds of imported cloth.

Babu A. C. Mazumdar.

These are the important conditions which we have to remember, and having regard to the course of the market which I have endeavoured to outline, and to these facts, we have thought it best for the moment to hold our hands. The Hon'ble Mr. Crum has already drawn the attention of the Council to the possible dangers of upsetting the market, and action taken by Government does upset the market out of proportion to the actual quantities with which Government may deal. We have therefore thought it wise hitherto, as in the case of food-stuffs, rather to watch developments and keep ourselves in touch with them before following the lead of Bihar and Orissa. We propose to continue doing so and to be guided by circumstances. Should they alter materially and should it appear that owing, say, to distress in any area the poor cannot be supplied with cloth, then we may have to intervene and take action. But, for the present, we do not propose, as the resolution recommends us to do, to follow the example of Bihar and Orissa in this matter of cotton cloth. As I have said in the matter of food-stuffs, it is not a case of following their lead, because we are both governed by the same orders. It is the case that as regards cotton cloth, Bihar and Orissa has done something which we have not done, but I have tried to explain to the Council the reasons which have actuated us in our present policy."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I wish to say only a few words on this resolution. I wholeheartedly associate myself with the resolution moved by my hon'ble friend. The abnormally high prices of food-stuffs and particularly of cloth have reached a very acute stage and it is high time that Government should come to the rescue of the situation. The Hon'ble Mr. Crum has laboured to show that the prices have not risen abnormally and that there have been bigger deliveries and the market is steady. Well, I am not going to enter into discussions of that sort—export, import and so forth. If there were bigger deliveries recently, then the position taken up by my friend becomes stronger, because whatever may be the market here in Calcutta, in mufassal the market is still worse. The prices have risen, particularly of cloth as well as of rice, chillies, oil and almost every article of consumption. It rises in this way, for it is not a question of export or import. A cloth merchant will not sell his cloth for less than Rs. 6-8. The rice merchant says that if I cannot get cloth for less than Rs. 6-8, I must raise the price of my rice. The man with the chillies and oil also goes in that way ; so that the question is not exactly one of export or import or tabulating these figures and those figures, but it is a question of downright speculation among the cloth merchants who are primarily responsible for the rise in the price of food-stuffs. They take cloth from Calcutta at certain rates and then they fix a rate below which they would not sell it, and this cloth affects the rice market, the oil market and every other market. I would ask your Excellency's Government to ask the Collectors of districts just to enquire into the matter whether there is not this sort of unscrupulous speculation. If that can be stopped, possibly the present situation would not be intolerable. The Hon'ble Sir Henry Wheeler has told us—although it brings very little comfort to us—that these difficulties are not confined to Bengal, not to India, but to the whole world. We do not dispute that, but that is no reason why we should go for the regulation of the market to the Peace Conference to decide one way or the other. The simple point is whether Government can or cannot put a stop to these unscrupulous men carrying on a downright speculation for the purpose of making large profits at the expense of the poor people, and the bare question would be to ask the Collectors to enquire whether there is such a speculation or not; and if there is, I think Government could ask the

Collectors to look into these things and thus afford considerable relief. It may not relieve the situation altogether, but considerable relief would be rendered if the Government would simply move in that direction."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My lord, I must say that I have listened with very great interest to the lucid speech of the Hon'ble Sir Henry Wheeler. At the same time, the situation is becoming so acute that there is almost in every house in Bengal a cry that we should approach the Government to do something in this matter ; but I must frankly confess that although we are making speeches, we have not been able to put any practical proposition before the Government. At the same time, I think it is our duty to bring the matter to the notice of Government, because I believe Government is in a better position to ascertain the real facts and as far as I can gather—I think the non-official Members will agree with me—Government is sincerely anxious to relieve the distress of the people. Therefore, what I want to know is this ; that with regard to the price of cloth whether the speculation has been entirely stopped or whether there has been any relaxation of the licenses that have been granted, the speculation has been resumed or whether a stricter eye is still being kept on the cloth-dealers. I am a layman and I am not making any actual proposition ; but I ask whether something cannot be done to fix a certain rate of profit over the initial cost of the cloth, that is to say, the price at which it is purchased in Calcutta and the price at which it is sold in other parts of the mufassal and whether Government can control the price. As regards the *Banga Lakshmi Mill* cloth, this is the first time that we hear about it. The outside public did not quite know whether there was a sufficient stock of the *Banga Lakshmi* standard or whether there was at any time as far as my information goes. Perhaps, there was not sufficient stock ; but if there be a sufficient stock, I submit that a saving of four or five annas would be something to the poor people having regard to the high prices of food-stuffs. There had been some fall in the price of cloth, but unfortunately it has again begun to rise. I do not know what its price is at the present moment, but everyone coming from the mufassal and even everyone in Calcutta and specially those coming from the mufassal belonging to our community, all say,—'What are you doing, are you not acquainting the Government that we are feeling the pinch very much?' It is not merely that the price of rice but the price of wheat and other food-stuffs, such as chillies, grains, pulses, etc., have gone up to such an extent that it is very difficult for the poor middle-class to get even one meal a day. Such is the situation ; and I am sure, my Lord, that the situation has attracted the attention of Government and the Government is giving a sympathetic attention to the matter. At the same time, I submit whether it is not possible to take some practical steps, although I must admit that we have not been able to make any practical suggestions."

The Hon'ble Mr. Phelps said :—

"My Lord, I do not think it necessary after what has fallen from the Hon'ble Mr. Crum to say anything from the retail point of view, but to put the matter more clearly from a wholesale point of view, it strikes me perhaps that my testimony as a retail dealer may inspire some confidence in his association. The actual prices of cotton and wool have gone up by 300 per cent., and I fail to see what the Government could do towards relieving the prices to the public in view of this fact. About three months ago, the price was three times of what it was four years ago, and it is still going up and we have the utmost difficulty in getting our own supplies. The same is the case with cotton—I am referring to cotton fine goods such as fine shirtings—and we have

three times of what we had to give four years ago. There was a time when profiteering was no doubt indulged in and then only was the time for Government to do something. My friends to my left are far behindhand in asking the Government to interfere now. I do not see any possible way of regulating the prices of goods now, because profiteering has come to an end. One cannot but be struck with the touching confidence that our friends have in the power of the Government. I would only wish that Government had more power to relieve such a thing as prices ; but in the case of food-stuffs and cloth, I believe it is quite impossible."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have listened to the speeches which have been delivered just now. I am thankful to the Hon'ble Sir Henry Wheeler for the lucid speech in which he gave us detailed information bearing on the subject. But there cannot be any doubt that the distress in the mufassal—I am a representative of the mufassal—is very acute. If your Excellency goes to any hamlet or to a village town, your Excellency will find that it is no exaggeration to say that the distress is very acute. The poor raiyats of Bengal live under the protective wings of Government and they are all appealing to your Excellency for redress. I am extremely sorry that under the circumstances, which have been mentioned by the Hon'ble Sir Henry Wheeler your Excellency's Government is not inclined to interfere ; that disheartens me and disheartens everybody. We looked up to your Excellency for help in this matter—a matter in which our lives are concerned. Therefore, my Lord, I do press my resolution for the consideration of the Council, because I cannot persuade myself to believe that Government will not be in a position at present to interfere. This, my Lord, is my submission to the Council."

The resolution was then put and lost.

ADJOURNMENT.

The Council was then adjourned to Wednesday, the 5th March 1919, at 11 A.M., at Government House, Calcutta.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA.

The 10th March, 1919.

B. S. Press—27-3-1919—4259J & 1293J—350—C. A. P. and Others.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 5th March, 1919, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MAJOR-GENL. W. H. B. ROBINSON, C.B., I.M.S.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMIN-UL-ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

LIST OF BUSINESS—ITEM No. 1.

OATH OR AFFIRMATION OF ALLEGIANCE.

The Hon'ble Mr. F. C. French, the Hon'ble Mr. L. V. N. Meares and the Hon'ble Khan Bahadur Amin-ul-Islam made an oath or affirmation of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

STARRED QUESTION.

The following starred question was asked and answer given :—

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***1.**

Is it a fact that the sufferings of the *raiyats* of Bengal are on the increase owing to agricultural depression this year?

Answer by the Hon'ble MR. MCALPIN :—

"The Hon'ble Member is referred to the Press *Communiqué* of the 12th February, 1919, in which the economic situation of this Presidency was reviewed."

UNSTARRED QUESTIONS.

The answers to the following unstarred questions were laid on the table :—

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

Selection o text-books secondary primary sc

(*a*) With reference to the reply to unstarred question No. XI, asked at the Council meeting held on the 26th November, 1918, regarding the selection of text-books for secondary and primary schools, will the Government be pleased to state whether there is any necessity to maintain two lists (A and B) of approved text-books and to mark certain books therein with *asterisks*?

(*b*) What is the present average number of text-books approved for each class of secondary and primary schools in Eastern and Western Bengal, from which the local bodies and the school authorities are expected to make their selection?

(*c*) Is it a fact that some uncertainty is felt by publishers as to the probable sale of individual text-books, and that as a result, there is no proper supply thereof in the market this year?

(*d*) Are the Government considering the desirability of reducing the lists to a reasonable size after retaining only such books as are considered to be of superior merit?

(*e*) When do the Government expect to introduce a uniform syllabus of studies for secondary and primary schools in the province?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) and (*d*) Government are considering the formation of a committee of officials and non-officials to deal with the question.

(*b*) The information is not available.

(*c*) It is inevitable that so long as teachers are at liberty to select text-books, publishers should be unable to forecast their sales with certainty. Government have no information as to whether there is a proper supply this year or not.

(*e*) A co-ordinated syllabus for all classes has been prepared The syllabus for secondary schools was submitted to the University Commission and it is proposed to await their report. The Director of Public Instruction expects to submit the primary school syllabus to Government shortly and it is intended to publish it for criticism."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

2.

Duties of sanitary st municipali

(*a*) Is it a fact that the duties of the sanitary staff attached to municipalities relate, primarily, to conservancy work, and that there are no responsible agencies at work directly under the municipalities or otherwise, for the prevention of diseases?

(*b*) Will the Government be pleased to state how matters stand at present so far as the question of prevention of diseases is concerned?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) and (*b*) Health officers and sanitary inspectors are appointed under section 349 D of the Bengal Municipal Act, 1884, by municipalities of which the income is Rs. 10,000 a year or more. From the model rules prescribing the duties of health officers and sanitary inspectors, of which copies are

laid on the library table, it will be seen that measures for the prevention of disease are provided for. Vaccinators are appointed by all municipalities for the prevention of small-pox. There is no other organization for the prevention of disease in municipalities with an income of under Rs. 10,000."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Number of civil suits disposed of by Munsifs' courts in the Mymensingh district.

Will the Government be pleased to make a statement showing the number of civil suits disposed of by the Munsifs' courts in the district of Mymensingh during each of the last five years?

Answer by the Hon'ble MR. KERR :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. 3 (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 5th March, 1919, showing the number of Civil Suits disposed of by the Munsifs in the district of Mymensingh during the last five years.*

Year.	No. of suits disposed of.
1918	72,996
1917	101,187
1916	85,445
1915	71,022
1914	74,217

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

4.

Progress in the re-excavation of certain *khals*.

With reference to the answer given to unstarred question No. XIV, clause (*b*), of the 5th March, 1917, will the Government be pleased to state what progress, if any, has been made in the matter of the re-excavation of the Taltala-Sreenagar, Taltala-Lohajang and Shekharnagar-Lohajang *khals*?

Answer by the Hon'ble MR. COWLEY :—

"The correspondence concerning these three *khals* has already been placed in the hands of the Hon'ble Member. In June, 1916, the Commissioner of Dacca forwarded certain proposals about the excavation of *khals* in the Munshiganj subdivision which the Dacca District Board had considered and requested that an Expert might be deputed to advise the District Board on the feasibility of the suggestions made. In July of the same year the Commissioner of Dacca was informed that owing to the demands of the war no Expert Engineer was available for this special duty; but that the Superintending Engineer of the Public Works Department would give his opinion on any proposals which the District Engineer of the Dacca District Board might prepare after a preliminary investigation. Nothing further has been heard from the District Board in the matter.

The officer who has been placed on special duty to consider improvements in drainage and navigation in Dacca district has, however, made surveys in connection with the second of the three *khals* mentioned by the Hon'ble Member; as regards the other two the initiative lies with the District Board."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5. Particulars local taxation imposed by union committees during 1917

Will the Government be pleased to make a statement showing—

(*a*) the amount of local taxation that has been imposed by the union committees in the Presidency; and

(*b*) such portions thereof as have been spent by them on—

(*i*) excavation and re-excavation of tanks,

(*ii*) primary education, and

(*iii*) local sanitation,

during the year 1917-18?

Answer by the Hon'ble MR. O'MALLEY :—

"The Hon'ble Member is referred to Appendix E of the Resolution on the working of District Boards, 1917-18, a copy of which is laid on the library table. It will be observed that the total amount of local taxation imposed by union committees during that year amounted to Rs. 52,093, while the expenditure on water-supply, education and sanitation and conservancy amounted to Rs. 23,304, Rs. 3,944 and Rs. 43,054, respectively."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

(*a*) Will the Government be pleased to explain their policy in regard to sanitation in rural areas? Government policy *re* sanitation in rural areas

(*b*) What particular problems of village sanitation engage, at present the attention of Government, and what funds have been spent in the last ten years for the sanitary improvement of villages?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) The general policy is the organisation of measures for the prevention and mitigation of disease and the general improvement of public health.

(*b*) The chief problems are—

(1) the introduction of a proper public health organisation in rural areas;

(2) researches into the causation, prevalence and distribution of disease;

(3) the improvement of the sources of water-supply;

(4) anti-malarial measures, such as drainage schemes and the distribution of quinine; and

(5) the education of the public in the laws of hygiene.

Complete figures for the last 10 years are not available. The annual expenditure by District Boards under the head of 'Sanitation charges' is shown in column 42 of Form III appended to the annual resolution reviewing the reports on the working of District Boards."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

Public meeting at Dacca re difficulties of communication in the district.

Has the attention of Government been drawn to the proceedings of a public meeting recently held at Dacca, at which the District Magistrate presided, for the purpose of discussing the very acute situation arising out of the difficulties of communication in the district?

Answer by the Hon'ble MR. KERR :—

"Yes. The attention of Government has been drawn to the meeting in question."

By the Hon'ble Babu Bhabendra Chandra Ray:—

8.

Appointment of a District Engineer by the District Board of Burdwan.

(*a*) With reference to the recent appointment of a District Engineer by the District Board of Burdwan, will the Government be pleased to state whether it offends in any way against certain executive instructions of Government about the preferential treatment of candidates educated at the Sibpur College, contained in a letter to the Commissioners of Divisions, No. 929T.—L. S.-G., dated Darjeeling, the 30th September, 1911?

(*b*) How many duly qualified candidates were there for the appointment; and how many of them were Sibpur graduates?

(*c*) How do the qualifications of the selected candidates compare with those of each of the Sibpur candidates rejected by the District Board?

(*d*) Were there no Sibpur graduates among the candidates so rejected whose qualifications were "approximately equal" to those of the selected candidate?

(*e*) Where was the selected candidate educated, and employed previous to his present appointment?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) District Engineers are appointed by district boards, subject to confirmation by Divisional Commissioners. The letter referred to stated that the rules under the Local Self-Government Act contained no provision giving a privileged position to candidates educated at the Sibpur College, but Government desired that in three divisions preference should ordinarily be given to applicants from that College, provided that their qualifications were approximately equal to those of others who may offer their services. It is reported that the District Board of Burdwan was of opinion that the qualifications of the selected candidates were greatly superior to those of any of the Sibpur College candidates. It does not therefore appear that the District Board failed to comply with the wish expressed in the letter in question.

(*b*) There were 37 qualified candidates, of whom 21 were graduates of

(*c*), (*d*) and (*e*) The selected candidate was educated at the Jubbulpore College and obtained the B.Sc. degree of the Allahabad University, securing a gold medal for general proficiency and a post-graduate scholarship. He was subsequently at the Roorkee College, where he passed the Assistant Engineers' examination. He was employed first as Engineer of the Burdwan Municipality, which he resigned on being appointed as Assistant Engineer in the Public Works Department, Central Provinces. He served there as Assistant Sibpur.

Engineer in Seoni, Raipur and Bilaspur and officiated as Executive Engineer of the Raipur Division. Some of the Sibpur graduates had held the post of District Engineer in small districts, but none had held an appointment as Assistant Engineer or been in charge of such responsible work as the selected candidate."

By the Hon'ble Babu Bhabendra Chandra Ray:—

9.

Control of Government over aided and unaided primary schools.

(*a*) With reference to the answer to my unstarred question No. 13 asked at the last meeting of the Council, regarding free studentships in primary schools, will the Government be pleased to state whether the aided schools are not under some control of Government?

(*b*) In what respects, if any, do the aided and unaided schools differ in the matter of supervision and control by the Department of Education?

(*c*) Are the authorities of district boards authorized to admit any number of free students in aided primary, middle English and middle vernacular schools?

Answer by the Hon'ble MR. O'MALLEY:—

"(*a*) and (*b*) The control over aided primary schools is vested in District Boards, subject to the rules made by Government under the Local Self-Government Act of 1885. The Education Department has no direct control over them or over unaided primary schools. The difference between them is that aided schools are, and unaided schools are not, subject to the educational rules issued under the Local Self-Government Act.

(*c*) Rules for the award of free studentships in Government and Government-aided schools have been issued by Government, but so far as Government are aware there are no such rules for schools aided by District Boards."

By the Hon'ble Babu Bhabendra Chandra Ray:—

10.

Number of scholarships obtainable by students on the result of scholarship examinations.

Will the Government be pleased to make a statement showing, district by district, the number of scholarships obtainable by students on the result of scholarship examinations in secondary stages of education, and how the respective numbers and amounts have varied during the last ten years?

Answer by the Hon'ble MR. O'MALLEY:—

"A statement showing the distribution, number and amounts of

(*a*) Middle scholarships,
(*b*) Senior scholarships,
(*c*) Junior scholarships,
(*d*) Special scholarships,
(*e*) Mohsin scholarships for Muhammadans, and
(*f*) Scholarships for backward classes

for the last 10 years is laid on the library table.

Separate statements regarding scholarships for girls, Trust Fund scholarships and Mohsin Fund special scholarships and stipends are also laid on the library table."

By the Hon'ble Babu Bhabendra Chandra Ray:—

11.

Manufacture of salt by Indians.

(*a*) Is it a fact that no Indian has been granted permission to manufacture salt in Bengal?

(*b*) If so, will the Government be pleased to state the names of the Indians who applied for such permission, and the reasons for refusal of permission in each case?

(*c*) What are the circumstances that differentiate these applications from those that have been successful?

Answer by the Hon'ble MR. DONALD:—

"(*a*) Yes.

(*b*) and (*c*) The Hon'ble Member is referred to the statement given in reply to question No. LVIII (unstarred), asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri at the Council meeting held on the 19th August, 1918. The petition of Abdul Barik Haji of Sandip was rejected because the petitioner asked for a special concession in the matter of the salt duty which could not be entertained; and that of Mr. P. C. Dass because he desired to manufacture under conditions which did not provide adequate safeguards for the Government revenue. The license granted to Mr. Glen George provides for payment of the full duty on all salt manufactured, and secures adequate safeguards to ensure such payment."

By the Hon'ble Babu Bhabendra Chandra Ray:—

12.

Establishment of a Board of Agriculture in Bengal.

(*a*) Are the Government aware of the recent establishment of a Board of Agriculture in the United Provinces of Agra and Oudh, to advise Government on questions of policy and administration in connection with the Department of Agriculture?

(*b*) Are this Government considering the desirability of making a detailed inquiry from the Government of the United Provinces on this subject, and of starting a similar Board in Bengal?

Answer by the Hon'ble MR. MCALPIN:—

"(*a*) Yes.

(*b*) Government do not consider it necessary to make a detailed inquiry from the Government of the United Provinces on the subject. The question of starting a Board of Agriculture, with the connected questions of the fate of the Provincial Agricultural Association and the establishment of branch associations, has been under the consideration of this Government for some time. A communication will be issued on the subject."

By the Hon'ble Babu Bhabendra Chandra Ray:—

13.

Government grant to the Society for the improvement of the backward classes.

(*a*) Is it a fact that Government have made certain grants to the Society for the improvement of the backward classes? If so, will the Government be pleased to state the particulars about these grants?

(*b*) Is it a fact that the primary schools conducted by the said Society do not conform to the rules of the Department of Education either in the matter of equipment or the curriculum of study?

(*c*) If so, are the Government considering the desirability of inquiring whether the said system of instruction is satisfactory, so far as it goes?

(*d*) What is the average cost of maintenance of a school under the management of the said Society, and how does it compare with the minimum cost of maintenance of a primary school recognised by the Department?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Government have sanctioned a recurring grant of Rs. 3,000 per annum for a period of 5 years and a non-recurring grant of Rs 5,000 to the Society for the improvement of the backward classes on the understanding that the Society complies with the following conditions :—

(*1*) That it spends at least Rs. 2,400 a year in grants-in-aid to schools under its control.

(*2*) That it adopts the departmental curricula and the rules and orders issued by the Department except in cases where the Inspector of Schools agrees to a departure.

(*3*) That the schools under the Society are open to inspection by inspecting officers of the Department.

(*4*) That the Society works in co-operation with district and municipal boards and inspecting officers of the Department in utilisation of its funds and in other matters connected with its educational work.

(*5*) That it submits each year a report of its work in each division to the Inspector of Schools and a complete report, together with an account of its educational expenditure, to the Director of Public Instruction.

(*b*) and (*c*) This is the first year of the grant and it is not yet known whether the departmental rules are followed in all the schools under the Society. The grant is made on condition that such rules are complied with

(*d*) The average monthly cost of the maintenance of a school under the Society is reported to be about Rs. 8·9; that of primary schools of all classes in 1916-17 was Rs. 9·7."

By the Hon'ble Babu Ambika Charan Mazumdar:—

14.

School committee Madaripur English S

(*a*) Are the Government aware that a representation has been submitted to the Director of Public Instruction, through the Inspector of Schools, Dacca Division, by the parents and guardians of the pupils as well as by the benefactors of the Madaripur High English School complaining that the school committee has been constituted by the existing school committee in contravention of the rules recently prescribed for the constitution of aided high English school committees?

(*b*) Is it a fact that in June last the Inspector of Schools, Dacca Division, asked the Secretary of the school to reconstruct the committee in accordance with the said rules and that on the 20th December last the committee sent up the names of the members of the old committee without allowing the parents and guardians of the pupils and the benefactors of the school an opportunity to elect or nominate their representatives?

(*c*) Is it also a fact that the parents and guardians of the pupils and the benefactors of the school made an application to the President of the school

committee to allow them to choose their representatives for the new committee, but that no action was taken on this application?

(*d*) Are the Government considering the desirability of asking the Director of Public Instruction to inquire into the matter and require the President of the school committee to reconstitute the school committee in accordance with the rules referred to above?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) A representation of this nature was submitted to the Inspector of Schools on January 9th, 1919. Previous to this, on December 31st, 1918, another representation had been submitted to the Inspector of Schools, signed by other parents and guardians, asking that the existing committee might be allowed to continue for the full term of 3 years.

(*b*) Yes. On the 20th December, 1918, the committee resolved that as parents and guardians, as well as benefactors of the School, were represented on it and the term of office of most of the members would expire in about 1½ years, it was not necessary to make any change in the constitution of the committee.

(*c*) Yes. As the committee had been reconstituted in July, 1917, and was working satisfactorily, the District Magistrate was of opinion that the existing committee should be allowed to continue for its full term of 3 years.

(*d*) The Director of Public Instruction has approved of the continuance of the existing committee, and it is not proposed to take any further action until the expiry of the full term of 3 years."

By the Hon'ble Mr. W. E. Crum:—

15.

Treatment of beggars in Calcutta.

(*a*) With regard to the treatment of beggars in Calcutta, are the Government considering the desirability of circulating among members of this Council the replies received to their letter dated the 4th September, 1918, to representative bodies?

(*b*) Will the Government be pleased to state what further action, if any, they propose to take?

Answer by the Hon'ble MR. KERR :—

" Copies of replies so far received are being circulated to Hon'ble Members of the Council for present information. Government are awaiting the reply of the Corporation of Calcutta, and after receiving it, will circulate it also and consider what further action should be taken in the matter."

By the Hon'ble Mr. W. E. Crum:—

16.

Grant of land by Government to the District Charitable Society for Alms-houses.

(*a*) Is it a fact that in or about the year 1840 the Government of Bengal made to the District Charitable Society a grant of 10½ *bighas* of land in Amherst Street to be held by the Society for the purpose of Alms-houses?

(*b*) Did a Committee appointed by Government submit a report in August, 1916, recommending that a site in a more suitable locality should be provided for the Alms-houses and that Government should either buy out the Society or allow them to sell the land to a third party?

(*c*) Will the Government be pleased to state whether they are prepared to agree to the above proposals?

(*d*) If the answer to (*c*) above is in the negative, will the Government be pleased to state their reasons for not agreeing, or, if in the affirmative, will they be pleased to state when leave to put the proposals into effect may be expected?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) Yes.

(*c*) and (*d*) Government agree that it is desirable to give effect to the proposals of the Committee. The sale of the site requires the sanction of the Government of India who have been addressed in the matter."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

17.

(*a*) Will the Government be pleased to lay on the table a statement giving, district by district, the following information regarding co-operative societies— Particulars to district co-operative societies.

(*i*) the number of societies which were sent into liquidation under the orders of the Registrar, Co-operative Societies, since the 1st April, 1912;

(*ii*) the date of registration of each such society;

(*iii*) the amount of working capital with which each such society started, and the amount of such capital at the time when it was sent into liquidation;

(*iv*) the amounts realized in each case by liquidators from members, out of their total debts to the societies under liquidation;

(*v*) the percentage of cases in which the liquidators realized monies from members by compulsory processes; and

(*vi*) the percentage of cases in which the liquidators had to sell the goods and chattels of members to realize dues, stating roughly the month or months of the year when such sales were held?

(*b*) Will the Government be pleased to state what steps were taken by the Registrar, Co-operative Societies, to improve the working of each society ultimately sent into liquidation, before passing final orders for winding up each such society?

(*c*) In how many cases did the Registrar or his gazetted assistants supervise the work of liquidation, and in what manner was the supervision exercised?

Answer by the Hon'ble MR. MCALPIN :—

" (*a*) (*i*) (*ii*) and (*iii*) (second part) Statements A and B are laid on the table so far as information is available. Information regarding the first part of (*iii*), (*iv*), (*v*) and (*vi*) is not available.

(*b*) In order to keep himself abreast of the working and financial condition of societies the Registrar of Co-operative Societies, Bengal, has issued special instructions to auditors to classify societies at the time of the annual audit.

Societies which are marked 'bad' or 'hopeless' receive the personal attention of the Registrar or the Joint Registrars.

As soon as a society begins to show signs of deterioration attempts are made to reconstitute it. The Central Bank staff and the Government staff keep a strict watch over such a society and the Department of Co-operative Societies carefully watches the progress of reconstitution. When all possible attempts at reconstitution fail and the continuance of such a society becomes a menace to the interest of financiers and a danger to the neighbouring societies, the society is liquidated after a careful inquiry into its working, constitution and financial position under section 35 (*1*) of Act II, 1912. The steps described were taken in all cases.

(*c*) In almost every case the Registrar or his gazetted assistants supervised the work of liquidation. Circle Inspectors are now appointed liquidators in almost every case.

Supervision is being maintained where possible by local inspection, by keeping a close watch over the progress of liquidation and by insisting on regular returns as to the progress made."

Statement A referred to in the answer by the Hon'ble MR. MCALPIN *to question No. 17 (Unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HUQ *at the Council meeting of the 5th March, 1919, showing the number of societies which were sent into liquidation since the 1st April, 1912.*

	Number of societies
Bakarganj	8
Tippera	31
Pabna	16
Jessore	8
Khulna	12
Murshidabad	4
Nadia	8
Birbhum	6
Calcutta	1
24-Parganas	1
Midnapore	7
Rangpur	3
Dinajpur	1
Bogra	3
Faridpur	42
Noakhali	8
Mymensingh	11
Chittagong	1
Dacca	7
Total ...	181

Statement B referred to in the answer by the Hon'ble MR. MCALPIN *to question No. 17 (Unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council meeting of the 5th March. 1919.*

BURDWAN AND PRESIDENCY DIVISIONS.

Serial No	Names of Societies placed under liquidation since 1st April 1912	Date of Registration	Working capital (including interest and profit) of the Society at the time when it was sent to liquidation. Rs. A. P.
Jessore—			
1.	Parnandooli R. C. S. ...	26-8-1907	Closed.
2.	Nanduli R. C. C. S. ...	26-8-1907	262 10 0
3.	Belnagar R. C. C. S. ...	26-8-1907	393 7 6
4.	Balia Bhekutia ...	14-10-1909	648 6 3
5.	Bhiana Rajapur ...	20-9-1913	1,048 5 3
6.	Dhangata R. S. ...	21-1-1916	1,339 14 9
7.	Doulatpur Mdn. R. C. C. S.	9-5-1908	765 7 4½
8.	Bansberia R. C. C. S. ...	4-4-1910	1,108 8 0
Khulna—			
1.	Muragacha R. C. S. ...	24-6-1917	1 321 0 0
2.	Dargapur No. 4 R. C. S.	10-7-1908	741 4 0
3.	Sabdalpur C. S. ...	28-4-1914	624 3 9
4.	Jahanabaj C. S ...	2-7-1908	388 0 0
5.	Dhulihar C. S. ...	9-7-1908	720 0 10½
6.	Moutala C. S. ...	19-9-1913	11,243 8 3
7.	Nityanandapur ...	28-4-1914	1,802 4 3
8.	Khesra No. 1 ...	23-4-1908	2,005 8 4½
9.	Jalalpur R. C. C. S. ...	29-4-1908	2,284 12 6
10.	Srimantakali R. C. C. S.	2-8-1909	
11.	Barat R. C. C. S. ...	19-9-1910	
12.	Khesra Model C. S. ...	30-5-1910	1,485 12 9
Birbhum—			
1.	Narianpur R. C. C. S. ...	3-12-1909	2,554 15 4½
2.	Paikar Ghosh C. C. S. ...	8-1-1910	1,022 12 4
3.	Nargram Ghosh C. C. S.	2-9-1909	829 12 4
4.	Gonpur Ghosh C. C. S.	11-6-1909	818 14 6
5.	Bhabanipur C. C. S. ...	28-4-1915	245 7 0
6.	Kaluha C. S. ...	23-7-1914	Liquidated on 23rd January. 1919. Final balance sheet not yet received.
Calcutta—			
1.	Anglo-Indian C. C. S., Ld.	2-4-1909	10,529 0 0
24-Parganas—			
1	Baruipur C. Stores, Ld.	7-11-1912	1,531 2 0
Murshidabad—			
1.	Gangprasad No. 1 R. C. C. S.	19-2-1908	804 3 6
2.	Maharajpur R. C. C. S. ...	25-3-1908	522 3 0
3.	Kuluberia R. C. C. S. ...	25-3-1908	1,236 3 3
4.	Chhayghari R. C. C. S.	10-6-1909	766 13 9

Serial No.	Names of Societies placed under liquidation since 1st April 1912	Date of Registration.	Working capital (including interest and profit) of the Society at the time when it was sent to liquidation.
	Nadia—		Rs. A. P.
1.	Teorkhali R. C. C. S. ...	17-7-1905	1,349 14 9
2.	Ranaghat Paikpara J. B.	5-3-1913	359 5 0
3.	Badkulla R. C. C. S. ...	20-9-1910	1,321 2 0
4.	Ghoramara C. S. ...	3-4-1914	276 5 0
5.	Haulia C. S. ...	13-2-1914	957 4 9
6.	Gopindapur C. S. ...	6-3-1914	1,159 2 4½
7.	Jagannathpur C. S. ...	13-2-1914	1,444 7 0
8.	Biswanathpur C. S. ...	12-6-1914	1,489 0 6
	Midnapore—		
1.	Sitli R. C. C. S. ...	18-2-1908	504 5 9
2.	Parapara R. C. C. S. ...	18-10-1911	1,703 3 3
3.	Dakhinbar R. C. C. S. ..	21-12-1909	713 1 3
4.	Mahapal R. C. C. S. ...	25-4-1908	7,618 0 3
5	Chinchira R. C. C. S. ...	11-2-1910	3,442 15 2
6.	Akna Pithapur ...	2-6-1913	1,495 5 7
7.	Ameshawarpur ...	17-8-1910	2,046 3 4
	FARIDPUR.		
	Faridpur—		
1.	Srirampur G. M. S. ...	16-2-1907	Closed.
2.	Bedgram G. D. B ...	26-2-1910	Do.
3.	Shirkhara G. D. B. ...	1-12-1907	4,261 4 0
4.	Paribartan Chaygaon G. D. B.	7-4-1909	3,941 2 9
5.	Birangal G. D. B. ...	1-12-1907	3,998 7 8
6.	Amirabad G. D. B. ...	1-12-1907	1,774 0 2
7.	Gobindpur G. M. S. ...	23-11-1912	4,065 5 7
8.	Nayrashi G. D. B. ...	13-6-1911	2,930 4 0
9.	Akandangi G. M. S. ...	10-1-1909	4,644 7 5
10.	Char Nasirpur G. D. B.	13-6-1911	5,547 3 6
11.	Kadmi G. D. B. ...	19-10-1908	1,222 0 1
12.	Lakhipur G. M. S. ...	11-12-1908	606 10 1
13.	Majhkandi G. M. S. ...	11-4-1909	4,938 10 5
14.	Sujandowla G. D. B. ...	22-6-1911	3,353 8 5
15.	Khas Co. G. D. B. ...	6-5-1911	4,250 3 8
16.	Gopalpur G. D. B. ...	6-5-1911	371 0 0
17.	Rajarambari R. B. ..	8-12-1913	3,581 9 2
18.	Char Khankanapur R. C. B.	20-8-1913	3,527 3 10
19.	Jaynagar G. D. B. ...	26-12-1907	2,124 0 9
20.	Brahmandi G. D. B. ...	24-1-1909	13,147 0 0
21.	Kagdi G. D. B. ..	19-3-1910	13,109 10 0
22.	Kurubpur G. D. B. ...	19-3-1910	7,865 10 0
23.	Dakhin Janajat G. D. B.	15-5-1913	1,850 7 10
24.	Dattapara G. D. B. ...	7-9-1907	1,068 5 4½
25.	Saitnumber Moiserchar G. D. B.	6-5-1911	6,484 7 11
26.	Ghattakhan G. D. B. ...	19-3-1910	2,644 13 9
27.	Char Benodepur G. D. B. No. I.	11-1-1908	6,858 15 1
28.	Rajbari C. T. B., Ld. ...	15-5-1913	914 0 6
29.	Udaypur Co-operative Union, Ld. ...	14-6-1915	46 0 3
30.	Jasabanta Rayerkandi ...	22-6-1911	3,071 15 4
31.	Paikkandi C. R. B. ...	12-8-1913	5,209 1 3
32.	Ballavdi G. D. B. ...	21-12-1907	5,178 15 3
33.	Sharisar Bahuladanga J. B.	25-10-1913	6,360 11 11

Serial No.	Names of Societies placed under liquidation since 1st April 1912	Date of Registration	Working capital (including interest and profit) of the Society at the time when it was sent to liquidation
Faridpur—concld.			Rs. A. P.
34	Komorpur G. D. B. ...	16-12-1911	5,262 6 8
35.	Char Neamatpur G. D. B.	6-5-1911	8,800 10 0
36.	Singaria G. D. B. ...	22-6-1911	5,282 4 3
37.	Bijhari G. D. B. ...	19-3-1910	9,050 0 0
38.	Abdullabad G. D. B. ...	15-5-1913	6,029 5 6
39.	Kalukati G. D. B. ...	16-10-1909	Not available.
40.	Bhasanchar Dadpur G. D. B.	19-3-1910	6,605 3 7
41.	Char Nilakhi G. D. B. ...	19-3-1910	3,116 7 7
42.	Faridpur C. T. B., Ld. ...	11-3-1913	10,356 11 ½
	RAJSHAHI DIVISION.		
Rangpur—			
1.	Koya G. D. B. ...	18-2-1906	Closed.
2.	Barabari G. D. B. ...	24-2-1914	2,392 1 9
3.	Gapalcharan G. D. B. ...	17-4-1912	Balance sheet not received.
Dinajpur—			
1.	Durgapur Annapurna Bhandar.	7-7-1913	510 13 3
Bogra—			
1.	Kuptala Udhar Bank ...	22-1-1914	973 5 2
2.	Agdhap C. C. S. ...	16-11-1914	1,655 3 3
3.	Digharpar G. J. B. ...	21-2-1916	Balance sheet not received.
Pabna—			
1.	Boramara G. D. B. ...	27-11-1906	Not available.
2.	Aminpur G. D. B. ...	16-4-1912	
3.	Bharenga C. Weavers' Society.	18-12-1908	
4.	Char Boalia G. D. B. ...	17-7-1910	4,150 5 9
5.	Pengua G. D. B. ...	13-12-1908	4,323 4 3
6.	Nukali G. R. S. ...	2-1-1913	3,298 6 11
7.	Nalkhola G. D. B. ...	8-1-1908	1,766 14 10
8.	Bagmara G. D. B. ...	22-11-1906	Not available.
9.	Ahmadpur G. D. B. No. I	22-6-1909	2,726 14 1
10.	Kusiara G. D. B. ...	21-6-1911	2,202 13 6
11.	Konabaria G. R. S. ...	8-11-1910	7,871 14 0
12.	Edrakpur G. D. B. No. II.	26-1-1910	4,705 9 10½
13.	Berahimnpura G. D. B.	11-4-1913	Not available.
14.	Dariapur G. D. B. No. I	27-11-1909	
15.	Agpungli G. D. B. No. II	12-7-1913	
16.	Chakpatta G. R. S. ...	10-4-1911	7,984 5 2
	DACCA DIVISION (excluding the District of Faridpur).		
Mymensingh—			
1.	Sadhurpara G. M. S. No. I.	31-1-1908	1,554 4 7
2.	Char Gobindapur G. D. B.	17-8-1909	1,597 0 7
3.	Char Sataria Lahiripara	13-4-1909	5,458 3 10
4.	Ramnagar G. D. B. ...	24-2-1911	.....
5.	Aultia Joutha Bank ...	26-3-1914	3,272 2 9
6.	Pollakandi ditto ...	9-1-1909	724 10 6
7.	Rehaigajaria ditto ...	14-1-1911	2,236 12 6

Serial No	Names of Societies placed under liquidation since 1st April 1912.	Date of Registration	Working capital (including interest and profit) of the Society at the time when it was sent to liquidation
	Mymensingh—concld.		Rs. A. P.
8.	Tabirchar Joutha Bank	17-1-1910	3,860 2 0
9.	Shibaprasadpur C. S. ...	15-1-1913	1,543 1 3
10.	Deoghar C. S. ...	23-6-1914	.....
11.	Derurbil G. D. B. ...	9-1-1909	3,033 5 6
	Dacca—		
1.	Moidinagar C. S. ...	9-11-1906	2,881 13 3
2.	Ramkantapur C. S ...	8-1-1907	4,184 7 3
3	Rudradi	16-9-1910	1,260 5 9
4.	Mahadebpur ...	13-6-1910	424 0 0
5.	Kharia Karikar Bank ...	6-5-1944	1,462 12 6
6.	Mirzarchar M. B. I. ...	24-5-1911	Newly liquidated.
7.	Khirati G. D. B. ...	16-9-1910	Liquidation order cancelled by the Local Government on appeal.
	Bakarganj—		
1.	Choramuddi D. B. M. ...	30-5-1911	1,953 10 8
2.	Dakhin Satikhola ...	18-11-1911	2,069 2 8
3.	Barna G. B. M ...	22-2-1912	Not available
4.	Salia Bagpur ...	19-6-1912	4,326 10 0
5.	Bamnikati G. D. B. ...	1-8-1911	3,050 1 9
6.	Khayerdia D. B. M. ...	18-11-1911	593 14 0
7.	Jagua D. B. M. ...	16-8-1911	2,261 8 9
8.	Ruiya D. B. M. ..	30-5-1911	2,396 2 9

CHITTAGONG DIVISION.

	Chittagong—		
1.	Chota Hatiya J. B. ...	20-11-1914	1,150 10 10
	Tippera—		
1.	Fagunda G. K. S. ...	25-8-1909	Not available.
2.	Comilla C. Stores, Ld. ...	28-1-1913	2,034 3 4
3.	Dari Algaon G. M S. ...	10-5-1911	1,164 1 1
4.	Manikganga G. M. S. ...	10-5-1911	1,091 2 10
5.	Rajapur G. M. S. ...	21-10-1910	4,327 7 11
6.	Mahamadpur G. M. S. ...	4-10-1912	2,878 9 6
7.	Merkot G. M. S. ...	22-2-1911	2,074 0 6
8.	Tugaria G. M. S. ...	16-3-1911	4,031 2 2
9.	Chandpur C. U. B., Ld....	17-2-1908	3,155 6 1
10.	Sahabajpur J. B. ...	6-2-1913	2,985 1 9
11.	Padua G. M. S. ...	25-2-1910	1,253 9 2
12.	Panchrangi G. M. S. ...	3-11-1910	4,846 15 5
13.	Lakhipur G. M. S. ...	10-5-1911	3,673 2 5
14.	Basudai G. M. S. ...	14-3-1912	2,475 5 1
15.	Heshakhal G. M. S. No. 1.	14-3-1912	2,738 4 9
16.	Srihasya G. M. S. ...	2-12-1912	3,225 13 2
17.	Sahatuli J. B. ...	5-5-1914	4,264 12 6
18.	Tapaban G. M. S. ...	24-10-1911	2,395 1 11
19.	Ujanijora G. M. S. ...	27-5-1911	794 3 6
20.	Gangtiara G. M. S. ...	19-5-1911	469 9 10
21.	Pella G. M. S. ...	29-3-1911	2,212 5 1
22.	Belashaw G. K. S. ...	9-4-1914	1,865 14 5
23.	Fulgaon G. K. S. ...	12-11-1912	1,010 2 4
24.	Rajamahar G. K. S. ...	13-3-1912	1,121 4 10
25.	Bhabanipur G. K. S. ...	28-9-1910	Recently liquidated.
26.	Astagram Purbapara ..	10-5-1911	
27	Narianbarua ...	23-9-1911	

Serial No.	Names of Societies placed under liquidation since 1st April 1912	Date of Registration.	Working capital (including interest and profit) of the Society at the time when it was sent to liquidation.
			Rs. A. P.
Tippera—concld.			
28.	Barora	14-2-1911	Not available.
29.	Astagram Paschimpara	10- -1911	
30.	Singjore G. M. S. ...	2-12-1910	
31.	Khajuria G. M. S. ...	22-1-1914	
32.	Narpatti Purbapara ...	21-6-1911	
33.	Gazirmura	22-6-1914	
34.	Natherpetua ...	12-10-1914	
Noakhali—			
1.	Bararai J. B. ...	2-7-1913	Not available.
2.	Bandua Daulatpur J. B.	29-9-1912	
3.	Karmullapur J. B. ...	2-7-1913	
4.	Safiabad Ghagra J. B. ...	2-7-1913	1,513 12 5
5.	Purba Kolapur J. B. ...	13-5-1913	Not available.
6.	Dakhin Taralia J. B. ...	13-5-1913	1,756 7 9
7.	Uttar Mirwarispur J. B.	19-4-1913.	Appeal pending with Commissioner.
8.	Ramnagar J. B. ...	13-9-1913.	Not available.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

18.

Is it a fact—

(*i*) that the Directors of the Madaripur Co-operative Central Bank resolved some time ago to appoint a paid secretary; and

(*ii*) that the resolution of the Directors had the approval of the Registrar, Co-operative Societies, and that this vacancy was duly advertised; but the Subdivisional Officer of Madaripur (who is the Chairman of the Central Bank) wanted to make the appointment himself without reference to the opinion or wishes of the Directors?

Appointment of a Secretary to the Madaripur Co-operative Central Bank.

Answer by the Hon'ble MR. MCALPIN :—

"(*i*) Yes.

(*ii*) The answer to the first half of the question is in the affirmative. As regards the second half, the facts do not warrant this conclusion. The Registrar was requested by the Central Bank to take the appointment into his own hands, but he declined to do so on the grounds that the secretary was to be the servant of the Central Bank and that he should therefore be appointed by the Central Bank."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

19.

(*a*) Is it a fact—

(*i*) that the majority of the Directors of the Co-operative Central Bank, Madaripur, appointed one Anwar Hosain to the post of secretary.

(*ii*) that the said Anwar Hosain was serving under the Bank at the time and had been complimented by the Registrar, Co-operative Societies, for his good work; and

Appointment and resignation of one Anwar Hosain as Secretary to the Madaripur Co-operative Central Bank.

(*iii*) that the Subdivisional Officer influenced the Registrar against the decision of the Central Bank?

(*b*) Did the said Anwar Hosain resign immediately after his appointment? If so, why?

(*c*) Is it a fact that the Registrar threatened to withhold the said Anwar Hosain's license under section 17 of the Co-operative Societies Act, 1912 (II of 1912), if he did not resign?

(*d*) Is it a fact that the said Anwar Hosain did not then resign?

(*e*) Is it a fact that the Registrar subsequently induced the said Anwar Hosain to resign?

(*f*) Is it a fact that the said Anwar Hosain has been appointed a Government auditor on a higher salary?

Answer by the Hon'ble MR. MCALPIN :—

"(*a*) (*i*) On the 26th January, 1918, the Board of Directors of the Madaripur Co-operative Central Bank appointed Maulvi Anwar Hosain to the post of secretary.

(*ii*) Yes.

(*iii*) No.

(*b*) Maulvi Anwar Hosain resigned the post, saying that he had accepted it under the misapprehension that it was a post with better prospects than that of auditor which had been offered to him.

(*c*) No.

(*d*) *Vide* (*b*).

(*e*) The Registrar advised Maulvi Anwar Hosain to resign. He did not approve of the appointment.

(*f*) Maulvi Anwar Hosain has been appointed an auditor of Co-operative Societies. The pay of an auditor is Rs. 75 and the pay of the secretary of the Madaripur Central Bank was Rs. 75—5—100."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

20.

(*a*) Is it a fact that on the resignation of Anwar Hosain the Directors of the Madaripur Central Bank appointed a Muhammadan gentleman as paid secretary?

(*b*) Is it a fact that the said Muhammadan gentleman had been working for years as Honorary Secretary, and that he had been the pioneer of the movement in the subdivision?

(*c*) Is it a fact that the Subdivisional Officer disapproved of his appointment? If so, why?

(*d*) Is it a fact that the Subdivisional Officer warned this gentleman against offering himself as a candidate for appointment? If so, for what reasons?

(*e*) (*i*) Is it a fact that the Subdivisional Officer asked the Registrar, Co-operative Societies, to cancel the appointment?

(*ii*) If so, has the Registrar any authority under the by-laws of the Madaripur Central Bank to do so?

(*f*) (*i*) Is it a fact that the Registrar went to Madaripur at the instance of the Subdivisional Officer and caused the Directors to cancel the appointment?

(*ii*) If so, on what authority did the Registrar do so?

Answer by the Hon'ble MR. MCALPIN :—

(*a*) Yes.

(*b*) He had worked for some time as honorary secretary of the Madaripur Central Bank and was one of the pioneers of the movement in the subdivision.

(*c*) The Subdivisional Officer disapproved of his appointment He considered him unsuitable for the post of a paid secretary whose work would be more onerous than that of an honorary secretary

(*d*) The Subdivisional Officer warned him to withdraw his candidature for the reason given in reply to (*c*).

(*e*) (*i*) The Subdivisional Officer asked the Registrar to veto the appointment.

(*ii*) The Registrar has no authority under the by-laws of the Madaripur Central Bank to cancel the appointment of the secretary, but under a circular of the department issued in 1914 all Central Banks were instructed to make all appointments to paid posts in consultation with the Registrar

(*f*) (*i*) The Registrar went to Madaripur not at the instance of the Subdivisional Officer, but in the ordinary course of his duty That was at the end of February, 1918. As a result of bad realisations from societies during the previous harvest, the state of the finances of the Central Bank made it impossible for it to entertain a paid secretary The Registrar pointed this out to the Directors, who accepted his advice and postponed the entertainment of a paid secretary.

(*ii*) By virtue of his position as Registrar he advised the Central Bank."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

21.

(*a*) Is it a fact that in one of his inspection notes on the Madaripur Central Bank the Registrar, Co-operative Societies, remarked that the paid secretary of the Madaripur Central Bank must be a Hindu?

(*b*) Did the Registrar make the above remark as an expression of his own personal opinion or did he do so under the orders of Government?

Alleged suggestion for the appointment of a Hindu as secretary to the Madaripur Central Bank.

Answer by the Hon'ble MR. MCALPIN :—

" (*a*) No.

(*b*) The question does not arise in view of the answer to (*a*) above."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

22.

(*a*) Will the Government be pleased to state whether the Registrar, Co-operative Societies, can, under the by-laws, interfere with the action of the Directors of the Madaripur Central Bank in regard to the appointment of their own officers and servants?

(*b*) If so, to what extent?

Interference by the Registrar, Co-operative Societies, with the Madaripur Central Bank in regard to appointments.

Answer by the Hon'ble MR. MCALPIN :—

" (*a*) No such enabling by-law exists, but the omission does not affect the general advisory power of the Registrar.

(*b*) The question does not arise in view of the answer to (*a*) above."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

23.

Auditorship of the Madaripur Co-op rative Central Bank.

(*a*) (*i*) Is it a fact that a discharged sub-inspector of police, alleg be a relative of one of the Directors of the Madaripur Central Bank recently been appointed by the Registrar, Co-operative Societies, as auditor?

(*ii*) If so, will the Government be pleased to state the present age an qualifications of this gentleman?

(*b*) Will the Government be pleased to state how many of the candi for this post were younger than, and how many possessed superior educat qualifications to, this gentleman?

Answer by the Hon'ble MR. MCALPIN :—

" (*a*) (*i*) A Sub-Inspector of Police, who had resigned the Police se and who is a relative of one of the Directors of the Madaripur Central I was appointed last year as an auditor of Co-operative Societies in Pabn

(*ii*) His age is unknown. He underwent a course of training unde Inspector of Co-operative Societies He has since resigned his appointi

(*b*) Government are not in a position to give the information."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

24.

Resignation by the secretary to the Pabna Central Bank.

Is it a fact that the Registrar, Co-operative Societies, compelled a ge man to resign who had been appointed paid secretary to the Pabna Ce Bank?

Answer by the Hon'ble MR. MCALPIN :—

" The Registrar pointed out that an individual selected by the Dire as paid secretary did not fulfil the qualifications which the Directors t selves had laid down as essential and desired that another selection shou made."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

25.

Alleged high-handedness of the Subdivisional Officer re appointment of a secretary to the Madaripur Central Bank.

Is it a fact that police-officers had been employed by the Subdivisi Officer to coerce Muhammadan Directors of the Madaripur Central I when these Directors resolved to appoint their own paid secretary?

Answer by the Hon'ble MR. MCALPIN :—

" Government have no reason whatever to believe the assertion."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

26.

Filling up of certain appointments in the Madaripur Central Bank by the Subdivisional Officer.

(*a*) Is it a fact that the Subdivisional Officer, Madaripur, has rece made a number of appointments in the Central Bank without reference t Directors?

(*b*) If so, under what authority has he made the appointments?

Answer by the Hon'ble MR. MCALPIN :—

" (*a*) The Subdivisional Officer, Madaripur, appointed some supervisors in the Central Bank with effect from the 1st of April, 1918, without reference to the Directors.

(*b*) His authority for so doing was the following resolution passed by the Directors of the Madaripur Central Bank on the 23rd March, 1918 :—
' The Directors delegate all their powers relating to the appointment and dismissal and all other matters regarding supervisors and clerks unconditionally to the Chairman for a period of one year and until revoked afterwards.' "

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

27.

Alleged remark by Registrar, Co-operative Societies, on appointment of a Muhammadan as Secretary, Madaripur Central Bank.

(*a*) Is it a fact that in his last inspection note on the Madaripur Central Bank the Registrar, Co-operative Societies, remarked that the Directors appointed a Muhammadan, as paid secretary, on account of his religion ?

(*b*) (*i*) If so, will the Government be pleased to state whether the Registrar had any materials before him to justify this remark ?

(*ii*) If so, what were the materials ?

Answer by the Hon'ble MR. MCALPIN :—

" (*a*) The remark was as follows :—' Although the candidate is a very deserving man, he was obviously not the best candidate and he was obviously elected because of his religion.'

(*b*) (*i*) Yes.

(*ii*) The materials were the strained relations between the Directors in this connection, the request made to the Registrar by several people in Madaripur to use his influence to have a Muhammadan appointed and the following resolution which was passed by the Anjuman-i-Mafidul-Islam on the 18th February, 1918 :—'Resolved that the Registrar be requested to accord his sanction to the appointment of a Muhammadan paid secretary for the Madaripur Central Bank.' A copy of this resolution was sent to the Registrar by the President of the Anjuman, who was a Director of the Madaripur Central Bank.'

By the Hon'ble Babu Surendra Nath Ray:—

28.

Selection of text-books by district boards.

(*a*) Have the Government any information as to what steps have been taken by the district boards this year for selecting text-books for primary schools out of the list approved by the Department of Education ?

(*b*) Have the Government issued any instructions to the district boards for their guidance in this matter ?

(*c*) Do they select text-books only for those primary schools which are under their direct management, or for all primary schools in the district ?

(*d*) If the former, what arrangements have been made by the Department for assisting the *gurus* of schools aided by district boards in the matter of selecting text-books from the heavy list issued by the Department ?

(*e*) What principles, if any, were followed by those district boards which made such selection of text-books for the current year ?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) The reply is in the negative.

(*b*) and (*d*) The Director of Public Instruction has informed Chairmen of district boards that the boards may select from the list approved by the Department a small number of text-books for use in the schools under their control, care being taken to discourage anything in the shape of exclusive prescription and to secure that the selection is made with the utmost care so as to avoid undue patronage. Inspecting officers have been instructed to refrain from recommending any books to the teachers of primary schools for selection and in giving advice to district boards in the matter of selection of text-books, to bear in mind that the system of exclusive prescription should be discouraged.

(*c*) The district boards may select books for both board and aided primary schools from the list approved by the Department.

(*e*) Government have no information."

By the Hon'ble Babu Surendra Nath Ray:—

29.

lection of text-oks by the trict board Chittagong.

(*a*) Have the Government any information as to the method followed by the district board of Chittagong in the selection of text-books this year?

(*b*) Is it a fact that a list of text-books which was prepared by the Chittagong district board was cancelled by the Divisional Commissioner?

(*c*) If so, will the Government be pleased to state the circumstances of this case and to lay on the table the papers bearing on this subject?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) The District Board selected the text-books recommended by the education committee from the books approved by the central text-books committee and published by the Director of Public Instruction. Subsequently several applications were received, including one forwarded by the Commissioner. These were duly considered and a few more books were selected by the education committee and approved by the board.

(*b*) The answer is in the negative.

(*c*) The question does not arise."

By the Hon'ble Babu Surendra Nath Ray:—

30.

ools for dical cation in vernacular.

Will the Government be pleased to state whether they are contemplating the establishment of schools, or the opening of special classes in connection with the existing institutions, for imparting medical education in the vernacular.

Answer by the Hon'ble MR. DONALD :—

" The answer is in the negative."

LIST OF BUSINESS—ITEMS Nos. 3 and 4.

THE AMENDED DRAFT FINANCIAL STATEMENT.*

The Hon'ble Sir Henry Wheeler presented the amended draft Financial Statement for Bengal for 1919-20 :—

* This statement was identical with the Revised Financial Statement as presented to the Council on the 13th March, 1919, except for one or two alterations which will be found in the Memorandum accompanying that statement.

Sir Henry Wheeler.

He said :—" My Lord. I have the honour to present the Amended Draft Financial Statement for the year 1919-1920.

Hon'ble Members are already in possession of the papers, together with a copy of the Civil Budget Estimates, and my remarks may, therefore, be brief. It will be noticed that the Statement has been prepared in a somewhat different form from that followed in previous years. On the occasion of the last budget I mentioned that the form then in use seemed susceptible of improvement, and, after examination of the Financial Statements as presented in other provinces, we prepared our Statement for the approaching year in the form in which it now appears. The changes are designed to make for clearness, so as to enable Hon'ble Members to grasp easily the salient features of the accounts. The memorandum by myself which appears at the beginning of the Statement mentions briefly the most noticeable points in connection with the opening balance and revised estimates of the current year and the budget estimates of the ensuing year. It endeavours to set forth the major variations in tabulated statements of fairly simple form, and in the text it makes mention of individual features of importance. Then follows in Part II a more detailed note by Mr. Donald which, taking each major head in turn, gives further particulars regarding revenue and expenditure, each paragraph being intended to give a bird's-eye view of the position as regards each main section of the accounts. If Hon'ble Members find it easier to follow the figures and to appreciate their meaning the object of our alterations will have been achieved.

I do not propose to anticipate the remarks which will be made by the various members of Government in respect of the figures relating to individual Departments, and I will, therefore, confine myself to the more general aspects of our financial position. We started the current year with a balance which was Rs. 9,88,000 less than our expectation, but according to our revised estimates our receipts for the current year will be appreciably in excess of those for which we budgetted, while our expenditure will be noticeably less, thus leaving us at the close of the current month with a balance which is Rs. 28,70,000 better than the budget. On the receipt side we have gained heavily under the head of Excise, and to a fair extent under those of Stamps, Income Tax, Forests, Ports and Pilotage, and Miscellaneous, while on the expenditure side the most noticeable fluctuations are the large decrease under the head of Education and the large apparent increase under Civil Works in charge of the Public Works Department. The latter is a normal feature of any budget, as sums provided for buildings in the departmental accounts are transferred to the Public Works head in order that the works involved may be actually executed. This fact affects the Education figures among others, but the savings in that respect are also due to the non-utilisation of grants.

In the next year's budget we anticipate still further growth of revenue under Stamps, Excise and Income Tax in particular, in comparison with the revised estimates, while in the matter of expenditure a large increase will be noticed under Education, Sanitation and Public Works. In the net result we propose, with the sanction of the Government of India, to draw on our balances to the extent of Rs. 43,79,000, mainly in order to enable us to undertake urgent public works of importance which have been deferred owing to the financial stringency of recent years. It will be observed that we have made large deductions on account of anticipated savings. These are based on past experience as to the actual spending capacity of different Departments.

We expect to close the year with a balance of Rs. 3,22,23,000. Of this the major portion is practically earmarked for the particular purposes

Sir Henry Wheeler.

for which certain Imperial grants were given from time to time and to which effect will be given in subsequent years.

It is useless to attempt to forecast the financial future of the province since this will be so largely affected by the financial proposals of the Reform Scheme. At present these have only been outlined in the report of the Secretary of State and His Excellency the Viceroy, and presumably one of the most important tasks which will be before the Finance Department during the ensuing year will be the conversion of that sketch into the definite figures which are to be taken as the basis of the future relations between ourselves and the Government of India. The Government of India have not yet addressed us on the subject, but I imagine that they will do so in the ensuing year, when we shall have to make an examination of the figures in accordance with whatever scheme may be approved. This will not be altogether an easy business in view of the abnormal conditions of the recent years of war, but we shall do our best to see that the financial interests of the province are duly protected, and that our successors are placed in possession of all funds to which they can fairly lay claim.

Hon'ble Members will of course remember that the figures as now furnished are still only provisional and that they will not be final until the budget is finally presented. Should any Hon'ble Member desire further information on individual points the Finance Department will do its best to supply it.

I now beg to introduce the various heads of Expenditure and Revenue which are my particular concern.

The following heads call for no comment beyond the remarks which already appear in the Statement :—

Expenditure—

1. Refunds and drawbacks.

6. Stamps.

Revenue—

XII.—Interest.

XXII.—Receipts in aid of superannuation, etc.

Expenditure—

29. Superannuation allowance.

These are all obvious heads and the figures in the statement give details.

Turning to heads, Revenue V and Expenditure 7—Excise, we come to a source of revenue which is rapidly becoming one of the chief mainstays of our finance. Last year the Hon'ble Mr. Donald said that he did not expect any large increase of revenue in the current year, but events have falsified our anticipations, and the revised estimate has been enhanced by Rs. 15 lakhs, while in the budget we have taken credit for a still further rise of Rs. 9 lakhs, raising the total revenue to the large figure of Rs. 1,84 lakhs. These results are mainly due to the increased consumption of country spirit in Hooghly, Howrah, the 24-Parganas and Calcutta, and to larger issues of Indian made foreign liquor owing to the higher prices ruling for European drinks. Owing to the raising of the duty on opium an increase is also expected under that head. As a set-off against the increased consumption we have materially enhanced the duty and price of country spirit in Hooghly, Howrah, the 24-Parganas and Calcutta with effect from the 1st February. As regards the ensuing year, with a return to more normal conditions, there

Sir Henry Wheeler.

is little reason to forecast a diminution in revenue, and in fact, even if consumption goes down, the increased rates of duty and price should ensure a larger revenue. The fixed fee system of settlement has been introduced in the district of Midnapore, accompanied by an increase in duty with effect from the 1st April next, and in consequence larger receipts may be looked for. The trade in Indian made foreign liquors is showing a tendency to expand, and the receipts from duty on Indian made tinctures in bonded laboratories are also likely to increase. The tree tax system on *tari* palms, which has been productive of such favourable results in Madras in particular, has been a success in Hooghly and Howrah, and should result in a larger yield of revenue.

Expenditure on the department shows a tendency to increase, which is not an unnatural consequence of the growth of revenue. The Statement mentions one or two details of interest in this respect.

The next item on my list is—

Expenditure—

10.—Income-Tax,

which both in the revised and in the budget estimate exhibits an increase. This is the inevitable consequence of the introduction of the Super Tax Act VIII of 1917 and the new Income-Tax Act VII of 1918, which have materially added to the work of the department, coincident with the large increase in revenue which has been derived from this head in recent years. Assessment of income-tax is now far more complicated than it used to be, and we have had to add to the establishment noticeably in Calcutta where the bulk of the income-tax is collected.

Turning to Jails—

XVIII—Revenue, and

19B—Expenditure,

the budget both under revenue and expenditure shows a decrease in comparison with the revised of approximately Rs. 3 lakhs. For this result the sub-head 'jail manufactures' is mainly responsible. With the cessation of the war our supplies to the Military Department are bound to diminish with a consequent reduction under the cost of manufacture. During the war the Army Department indented on our jails very largely for various articles which they manufacture. On the other hand it is hoped that, with a return to more normal conditions, the expense of keeping prisoners, which has been greatly enhanced in these days of high prices, will be reduced.

We next come to the head—

Police—

XVII—Revenue.

20.—Expenditure.

The revenue figures call for little remark except in so far as the transfer of the control of hackney carriages in Calcutta from the Corporation to the Police will swell the receipts from fees and fines leviable under the relevant Acts, and it should be noted that the receipts from hackney carriages and motor cars will practically meet the expenditure involved in the maintenance of the administrative department. This is worth remembering, as the Finance Committee remarked that the expenses of the Department seem to be rather high. The reason is that we hope to get a more efficient department under better control. And, of course, it is not a department from which we want to make money. If the receipts from hackney carriages and motors

cover the expenses there will not be any very reasonable ground for complaint. On the expenditure side the revised estimate of the current year shows, on the face of it, a decrease of Rs. 7,40,000 as compared with the budget, but the saving is more apparent than real as, of the difference, Rs. 5,75,000 has been transferred to the Public Works Department on account of works in course of completion. The budget estimate for 1919-20 is rather over Rs. 3 lakhs in excess of the revised estimate for the current year, although some Rs. 4 lakhs less than the budget estimate for 1918-19, though here again, as against the apparent saving, it is to be noted that expenditure in connection with the schemes of reorganisation in Eastern Bengal, which was previously met in the departmental budget from the special assignment made by the Government of India in this respect, will in future appear in the Public Works budget, the special assignment having been exhausted. This will now be dealt with as ordinary works under the Public Works head, whereas previously we were working against the special assignment granted by the Government of India to the old Government of Eastern Bengal in pursuance of the reorganization scheme. The important new items in next year's budget are mostly to be found in connection with the Calcutta Police. It has been found necessary to raise the pay of European inspectors and sergeants, as recruits otherwise find superior attractions elsewhere, while the development of street traffic in this city has necessitated a larger expenditure on the staff maintained for its control. A glance at the streets, even, outside Government House, would show the congestion which now exists and the difficulty of handling the traffic. The item of Rs. 40,000 on account of the public vehicles department is counterbalanced, as I have already mentioned, by corresponding receipts, while the provision for a new launch is not in reality a fresh outlay, but in substitution for a launch commandeered by the military authorities for which we shall in due course receive compensation. Since the war the Army Department took away from us a good many launches. They were paid for, so we did not lose over the transaction, but of course new launches have to be found in their place. In respect of the district executive force the large entries in the matter of the reserve of head-constables and constables, and the improvement of the pay of the head-constables are really in continuation of similar provision during the current year; in other words, they are no novel departures, but the addition of a new company to the Dacca Military Police accounts for an appreciable increase under the sub-head 'Special Police.' The duties of the Military Police are scattered over a large area of the province and the existing force is inadequate; hence this increase.

The figures of the Medical Department—Revenue XXA and Expenditure 24A—would at first glance give the appearance of steady jogging along on customary lines. But in reality we look forward during the ensuing year to the initiation of various important schemes for which provision is made in the Public Works budget. In particular I would instance the following:—

	Rs.	
The Hygiene Institute attached to the Tropical Medical School	1,00,000	(It has previously been mentioned that towards this scheme we have been promised a grant from the Research Committee).
New medical school at Burdwan	1,00,000	

Sir Henry Wheeler : Maharajadhiraja Bahadur of Burdwan.

	Rs.	
New nurses' quarters at the Medical College, Calcutta	6,30,000	(A large portion of this is for the purchase of land).
New Eye Hospital at the Medical College, Calcutta	2,00,000	(This is the beginning of the rather heavy expenditure which the whole scheme will involve).

Each of these items holds out good prospects of useful development, and it is a ground for satisfaction that we can at last see our way to making a commencement with them. It must be within the recollection of Hon'ble Members that this new Eye Hospital and the Hygiene Institute have been frequently mentioned in this Council in recent years. But it is only now that we have been able to make a beginning with them and I hope that good results will follow. The Hygiene Institute is a new departure, and is really the completion of the general scheme connected with the Tropical School. The new medical school at Burdwan will afford increased facilities for medical education which we have been pressed so often to provide; the new nurses' quarters at the Medical College, though unfortunately expensive, are a necessary preliminary to the further development of that great institution, while the new Eye Hospital is a long-pending want which I am only too glad to be able now to begin to meet. In all these respects we are making distinct advances under the head 'Medical,' and while many other demands await our attention, and can on their merits be pressed—there are many excellent and laudable pending schemes if money could be found for them—I think it will be admitted that, compatibly with other demands upon us, we have endeavoured to recognise the importance of this branch of the administration.

As regards Stationery and Printing—Revenue—XXIII and Expenditure 30—the most annoying feature is the rise in the price of paper, etc., which involves us in additional outlay. The construction of the new Secretariat Press has rather hung fire. We hope to make a beginning on the site already acquired and to push on with the work next year.

The head 'Miscellaneous' Revenue XXV and Expenditure 32—presents no very novel features. The revised estimate of receipts of the current year is abnormal owing to the inclusion of the sale-proceeds—I think it was 3 lakhs—of the Amherst Street Police Hospital, though as against this we have the cost of the new building which will shortly be under construction. Under expenditure we save Rs. 1,50,000 by the dissolution of the Publicity Board, though the unfavourable agricultural conditions are reflected in the provision of Rs. 75,000 for gratuitous relief."

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, introduced the following heads :—

Expenditure—

19A.—Courts of Law.

24B.—Sanitation.

Revenue—

XXXI.—Civil works in charge of Civil officers.

Maharajadhiraja Bahadur of Burdwan.

Expenditure—

45.—Civil Works in charge of Civil officers.

He said :—"My Lord, I rise to introduce the figures relating to Courts of Law. The total budget estimate for 1918-19 was Rs. 1,01,75,000, but the revised estimate was raised to Rs. 1,04,20,000. The increase is chiefly due to larger payment of fees to Counsel and pleaders in connection with both civil suits and criminal cases

The total expenditure for 1919-20 has been estimated at Rs. 1,04,35,000. This includes an enhanced provision of Rs. 1,35,000, under the head 'Process-serving establishment', to meet the cost of the war bonus recently sanctioned for menials, and a lump provision of Rs. 1,25,000 for the improvement of the pay of the officers of the Provincial Judicial Service, besides a provision of Rs. 14,724 for the appointment of a Seventh Judge in the Calcutta Small Cause Court and his establishment; it also includes Rs. 24,000 for additional establishment for the reorganization of the record-room of the High Court, Appellate Side.

As the Jury system has been extended this year to 12 more districts, a provision of Rs. 60,000 has been made for payment of allowances to Jurors, as against Rs. 41,645 in the budget for 1918-19. Provision for six temporary Subordinate Judges and six temporary Munsifs with their establishments have been made in the budget for 1919-20, as the existing provision for Subordinate Judges and Munsifs with their establishments proved inadequate for administrative requirements, and money had to be reappropriated from other heads during the year. Provision has also been made for the Additional Legal Remembrancer and his establishment as the term of his appointment has been provisionally extended.

A provision of Rs. 1,74,500 has been made for Judicial major works which will provide for Additional Sessions and Munsif's Courts at Bogra, a civil court at Burdwan and residences for the Additional Sessions Judge and four Munsifs at Bogra, four Munsifs at Satkhira and three at Bagerhat in the Khulna district, and Rs. 50,000 for minor works has been made in the Provincial Civil Works Budget for the year 1919-20.

I beg now to introduce for the consideration of the Council the figures relating to Sanitation.

The expenditure for the current year was originally estimated at Rs. 11,71,000 and has now been reduced to Rs. 9,04,000. A large portion of the decrease is more apparent than real, for a sum of Rs. 1,90,000 has been transferred to the Irrigation Department in order to enable it to execute anti-malarial schemes that appear in the Sanitary Department programme, but for carrying out which the agency of the Public Works Department has to be utilized. As regards the budget for next year the figures alone will show how anxious we are to embark on a forward policy in the campaign against disease. The total provision is Rs. 18,66,000, or more than double the amount provided for in the revised estimate for the current year. The sanitary schemes shown on page 83 of the draft Financial Statement alone involve a total cost of Rs. 13,70,000, a figure which exceeds the Imperial assignment for sanitary work by over 4 lakhs. Of this amount a little over a lakh and a quarter is for various recurring charges, the most noticeable item being the very largely enhanced provision for quinine grants, which stands at half a lakh. Altogether 7½ lakhs have been provided for sanitary engineering works, mainly drainage and water-supply, and it will be seen that Rs. 3 lakhs has been provided for beginning the Dacca Sewerage scheme, a most important and long pending project towards the execution of which Government has promised a

grant of Rs. 25 lakhs but which it has not hitherto been possible to take in hand. Then we have approximately 5 lakhs specially allotted for anti-malarial works carried out either entirely or partially at the cost of Government. Considerable sums are allotted for works that appeared in this year's programme and three new schemes are now provided for, viz., the Amta and Bhairab Drainage schemes, both large and important projects, which will be taken up by the District Boards under the Bengal Sanitary Drainage Act, and the Ghaghat scheme which will benefit Rangpur. A beginning is to be made with a publicity bureau for the education of the general public in matters of public health—details will be found on page 76 of the Financial Statement. Special provision has been made for research work, Rs. 36,000 being set apart for an investigation into river pollution and a survey of kala-azar, while Rs. 75,000 is set aside for the campaign against hook-worm disease, which, as Hon'ble Members may remember, formed the subject of an address recently delivered by His Excellency at a meeting held at Government House."

I beg also to introduce the figures relating to Civil Works in charge of Civil Officers.

The budget estimate of receipts for the current year was Rs. 1,58,000, but in the revised estimate this has been reduced to Rs. 1,40,000 mainly with reference to actuals for the first nine months of the year. The budget estimate for 1919-20 is Rs. 1,69,000.

As regards expenditure, the decrease of Rs. 66,000 in the revised estimate is the result of a new provision of Rs. 40,000 for grants to District Boards by Commissioners of Divisions set off against a decrease of Rs. 1,07,000 under grants to Municipalities by those officers. As explained last year, the latter reduction is due to the fact that the grants made by the Divisional Commissioner for educational and medical purposes are debited to those heads instead of to the head Civil Works by reappropriation to this head.

The estimate for 1919-20 is Rs. 15,64,000 of which details for Rs. 14,31,114 are given in paragraph 49 of the Financial Statement."

LIST OF BUSINESS—ITEM No. 6.

The Hon'ble Mr. Cumming introduced the following heads :—

Revenue—

I.—Land Revenue.

Expenditure—

3. Land Revenue.

Revenue—

IX.—Forests.

Expenditure—

11. Forests.

18. General Administration.

Revenue—

X.—Registration.

Expenditure—

12. Registration.

Revenue—

XVIII.—Ports and Pilotage.

Expenditure—

21. Ports and Pilotage.

Revenue—

XXIA.—Agriculture.

Expenditure—

26A.—Agriculture.

Revenue—

XXIB.—Scientific and Miscellaneous Departments.

Expenditure—

26 B.—Scientific and Miscellaneous Departments.

He said :—My lord, I have the honour to introduce the main heads under 'Land Revenue' and its connected subjects. The Financial Statement has been prepared in such detail that few remarks are required from me.

As regards receipts under the head 'Land Revenue' it will be observed that the estimate has been prepared on the assumption, and with the fervent hope, that the year 1919 will be a normal agricultural year. On the expenditure side the budget estimate is three lakhs in excess of the revised estimate for the current year. Provision has been made for a further increase in the number of Circle officers, regarding the appointment of which reference was made last year. The expenditure under 'General Administration' represents a normal expansion.

In the case of the Forest Department the increase of revenue which was due primarily to the demand for railway sleepers for military purposes seems likely to continue for civil requirements. The proposed expenditure represents a normal increase. The administration of the Forest Department in the existing Presidency of Bengal since 1902 furnishes a net profit which has varied from a little over five lakhs to a little under ten lakhs.

Turning now to the Registration Department we find that the income during the last two years has been somewhat checked. On the expenditure side it is proposed to make provision for an improvement in the prospects of the clerks in the rural offices and also for a portion of the reorganisation of the gazetted staff, which was sanctioned by the Secretary of State.

The general head 'Agriculture' covers the subsidiary heads of the Veterinary Department, the Co-operative Credit Department and the Agricultural Department proper. Under the two latter heads considerable advance is being made in accordance with a policy of steady expansion. In the case of the Agricultural Department the extension consists in the increase of District Agricultural farms, District Agricultural officers and seed stores, and in the extension of the distribution of selected seed, while under the head of

Mr. Cumming; Mr. Cowley.

Co-operative Credit a similar advance has been made in the obligations which the State has undertaken for the purposes of propaganda and control.

Under the head 'Scientific and Miscellaneous Departments' it will be noticed that provision has been made for the extension of Cinchona Plantations in the Darjeeling Hills.

I also beg to introduce the subject 'Ports and Pilotage' under the Marine Department. In addition to the information given in the Statement I need only add that an important matter which is receiving the consideration of Government is the financing of the improvement works for the Port of Chittagong, including the purchase of dredging plant, as recommended by Sir George Buchanan in the report which he submitted under the direction of the Government of India. During the present year a grant of one lakh in addition to a recurring grant of one and-a-half lakh has been sanctioned and the Government of India have agreed to contribute four lakhs next year. A financial programme on the basis of grants and loans is being prepared in consultation with the Port Commissioners of Chittagong for executing a complete works programme within a definite number of years."

LIST OF BUSINESS—ITEM No. 7.

The Hon'ble Mr. Cowley introduced the following heads :—

Revenue—

XXIX.—Irrigation—Major Works.

Expenditure—

42. Irrigation—Major Works—Working expenses.

Revenue—

XXX—Minor Works and Navigation.

Expenditure—

43. Minor Works and Navigation.

Revenue—

XXXI.—Civil Works in charge of the Public Works Department.

Expenditure—

45. Civil Works in charge of the Public Works Department.

He said :— "My Lord, I have the honour to introduce for the consideration of Council the Public Works heads of the Budget entitled 'Irrigation—Major Works, XXIX—Receipts and 42—Expenditure and Minor Works and Navigation, XXX—Receipts and 43—Expenditure.'

The Major Works with which we have to deal in this Presidency are the Midnapur and Hijli Tidal Canals. In regard to these, I have nothing to add to the statements which have been made under this head in paragraphs 44 and 45 of the amended draft Financial Statement. In regard to the head 'Minor

Mr. Cowley.

Works and Navigation', which is more important in its effect upon the Provincial Revenues, the chief sources of revenue are the tolls received from navigation on the Calcutta Canals, the Sunderbans route and the Madaripur Bil Canal which together form the navigable route for boats and inland steamers between Calcutta and Eastern Bengal. By the construction of a regulating bund to the south and east of the Madaripur Bil Canal, the financial prospects of the Canal which at one time was maintained at a loss to Government, have been improved; so that the project is likely to prove remunerative and to fulfil all the conditions of a Productive Public Work. The recent improvements by dredging in the Lower Kumar river have also been successful; the whole route is now an efficient navigable channel. In this respect, I have nothing to add to the statement made in paragraph 46 of the amended draft Financial Statement.

In regard to the estimates of expenditure under this head I have to refer to the statement made in paragraph 47 of the draft Financial Statement. I may state that the increased provision under 'Capital Expenditure. Madaripur Bil Canal' has been made in the Budget of 1919-20 to enable this Government to start with the scheme for widening of the Madaripur Bil Canal, which has become a matter of urgent necessity owing to the heavy increase in the steamer and barge traffic through the Canal, which is the main artery between Eastern Bengal and Calcutta.

The efforts of Government are largely expended in the conservation and improvement of waterways, *i.e.*, navigable waterways. Inextricably bound up with this question is that of the drainage of the hinterland immediately beyond the reach of the tidal influence and in the upper reaches where tidal influence is felt. We are collecting data to enable us to deal effectually with the whole problem of river improvement.

An example of a project of this nature and one on which we have now been working for some years is the improvement of the Bidyadhari river, and for this a sum of Rs. 2,10,000 has been provided for expenditure during 1919-20.

By extending the tidal spill of the river and training the river by means of groins to obtain a narrow and deep channel, we have succeeded in improving the condition of the river both from the drainage and navigation points of view.

We are also continuing the measures already started for mitigating the effects of the Damodar floods; the exit channels of these floods have been and are being improved, and a scheme for construction of controlling reservoirs has been partly worked up. In this connection I may add that the services of the special officer placed at the disposal of this Government for a period of 18 months have been extended for another year, so that he may be in a position to complete the whole project.

A provision of Rs. 3,16,000 has been made for these remedial measures in the budget estimate for 1919-20, and in connection with the Damodar Reservoir Scheme a sum of Rs. 20,000 has been provided for the further investigation of sites for reservoirs in the Damodar Catchment; the investigations carried out during the year 1918-19 have proved the necessity for the construction of a second reservoir in the valley of the river Damodar apart from and in addition to that proposed on the river Barakar. A sum of Rs. 2,50,000 has been provided in the Irrigation Budget for two large drainage projects, namely, the Amirabad and Pachaboni project in the Contai Subdivision and the Bulli Bil project in the 24-Parganas. The former is the first contribution towards the major Hijli Drainage Scheme.

In regard to measures of *anti-malarial drainage* we have devoted special attention and care to working up projects and the following measures have been started :—

The Arool Bil Project,

The Jaboona Project,

The Nawi Sunti Project,

The Saraswati improvement project,

Baragachia Project,

Monikhally Project,

and the Banka project has been completed : these are all in the Presidency and Burdwan Divisions. Surveys are continuing and new projects being developed.

I have also to introduce for the consideration of the Council the Budget for *Civil Works in charge of the Public Works Department.*

On the receipt side I have nothing to add to the remarks in the amended draft Financial Statement.

The increase of Rs. 40,000 under Establishment in the ensuing year's Budget is necessary chiefly on account of the reversion of several officers from Military duty. After providing for Establishment and Repairs and for the completion of works which will be in progress on the 1st April, there is a sum of over twenty-five lakhs left for new major works the distribution of which is shown on page 52 of the Statement and five lakhs for new minor works distributed amongst all Departments."

The Hon'ble Mr. Kerr said :—

"My Lord, the provision for district partition schemes appears in the Public Works Department budget, but it may be useful if I give a few words of explanation on behalf of the Political Department regarding the present position of the schemes. Last year, as I told the Council, the position in regard to Midnapore was that the Secretary of State had accepted the general principle of the scheme and authorised preliminary work in the way of brick-burning. In August last, he accorded formal sanction to the scheme and we are now in a position to proceed with building operations, subject to such technical or professional sanction as may be necessary to the individual building estimates under the rules of the Public Works Department Code. Work has been greatly hampered by the shortage of building materials and also by the shortage of staff in the Public Works Department owing to the deputation of officers to military duty. We hope that these difficulties will decrease to some extent during the coming year and that we shall be able to complete some of the more important buildings.

In the case of Mymensingh, the complete scheme was submitted to the Government of India last August. The Secretary of State has sanctioned the acquisition of land, which is now in progress and will we hope be completed before the end of this month. The Secretary of State's sanction to the scheme as a whole is still awaited, but we have every reason to hope that it will soon be received and that we shall be able to make a start on the buildings next cold weather.

While we hope to make substantial progress with both the schemes next year, there are the difficulties regarding shortage of staff and material and there is also the fact that formal sanction to the Mymensingh scheme has not yet been received. We have, therefore, thought it right to budget with caution, and the total amount provided for partition schemes in the budget for 1919-20 is only 7 lakhs."

Mr. Wordsworth.

LIST OF BUSINESS—ITEM No. 8.

The Hon'ble Mr. Wordsworth introduced the following heads :—

Revenue—

XIX.—Education.

Expenditure—

22. Education.

He said :—

"My Lord, I have the honour to introduce for the consideration of the Council the heads of Revenue and Expenditure of the Education Department.

Revenue.—On the receipts side of the budget there is nothing deserving of remark except that receipts are steadily increasing. From Rs. 8,86,574 in 1915-16, they have risen to an estimate of Rs. 10,29,000 for the next financial year. The increase is due to larger collections on account of fees from Government Colleges and Schools, General.

Expenditure.—Till 1914-15, the Education budget shewed uninterrupted growth and progress. But the abnormal conditions induced by the War checked progress and it took some time to recover lost ground. It is however satisfactory to note that expenditure on education has now not only attained its former figure but is rising beyond it. The figures on page 30 of the Financial Statement explain the situation.

The sanctioned budget for the current financial year stood at Rs. 1,03,01,000. From what has been spent during the first nine months of the year, it is anticipated that the expenditure during the year will fall short of the sanctioned estimate. The deficit in the expenditure is due to—

(1) non-utilisation in full of the Imperial grants, as certain of the proposed schemes have been sanctioned only in part,

(2) transfer of money to the Public Works Department for educational works,

(3) deputation to military duty of several officers of the Department, with consequent saving of salaries and house allowances,

(4) stoppage of the payment of exchange compensation allowance,

(5) impossibility of recruiting officers for the Indian Educational Service, and

(6) decrease in contingent expenditure on account of the economy enforced by war conditions.

The budget for the year in prospect has been placed at Rs. 97,86,000, a figure below the sanctioned estimate for the current financial year, but in advance of the revised estimate by Rs. 12,86,000. The final budget figure has been kept down by allowing large deductions for probable savings and rounding. In reality, the budget provides for a much larger expenditure than the final figure would seem to warrant, insomuch as deductions have been made from totals, but not from detailed heads.

Many new items are included in the programme of educational expenditure for next year. These are fully explained in the Financial Statement on pages 70-72.

Mr. Wordsworth.

Besides the expenditure proposed under the main head, an amount of Rs. 1,95,000 will be spent by the Public Works Department on original building works of the Department. Details of these works will be found on page 52 of the Financial Statement.

"The education portion of the Civil estimates presented along with the Financial Statement is novel in some respects. A word of explanation may be useful in reference to the arrangement and grouping of heads observed in the present estimates. Certain detailed and sub-heads, unauthorised by the Government of India, had crept into the budget and the accounts of the Department. These unnecessary heads have now been removed or combined with other heads, the existing sub-heads being in certain cases suitably re-named. For example, the head 'Arts Colleges' includes 'Arts Colleges for Boys' and 'Arts College for Girls,' the head 'Secondary Schools, English' includes 'High Schools for Boys,' 'High Schools for Girls,' 'Middle English Schools for Boys' and 'Middle English Schools for Girl".

ADJOURNMENT.

The Council was then adjourned to Thursday, the 13th March, 1919, at 11 A.M. at Government House, Calcutta.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA;
The 15th March, 1919.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Thursday, the 13th March, 1919, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E., C.B.E.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

OATH OF ALLEGIANCE.

The Hon'ble COLONEL J. K. CLOSE and the Hon'ble MR. R. V. MANSELL made an oath of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 1.

STARRED QUESTIONS.

The following questions which had been starred were put and answered :—

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***1.**

Memorial lower gra assistants the Bengal Secretaria

(*a*) Is it a fact that a memorial was addressed to His Excellency the Governor of Bengal by the lower grade assistants of the Bengal Secretariat in December, 1917?

(*b*) If so, will the Government be pleased to state what action, if any, has been taken on it?

(*c*) Is it a fact—

(*i*) that the strength of the upper division is not sufficient to cope with the work, and that a fairly large number of the lower division assistants are actually employed to do the work without proper remuneration;

(*ii*) that many deserving assistants in the lower division who entered the Secretariat long before the re-organization scheme of 1910 and have put in a qualifying service of 15 years or more, are still in the grade of Rs. 70 or Rs. 80 and have not yet been promoted to the upper division; and

(*iii*) that many outsiders who have been appointed direct to the upper division do not possess the necessary office experience or better educational qualifications and in most cases do routine work?

(*d*) Will the Government be pleased to state the number of candidates who appeared at the clerkship examination for admission into the lower grade of the Bengal Secretariat during the years 1916, 1917 and 1918, as well as the number of vacancies which occurred in those years?

Answer by the Hon'ble Mr. Donald:—

" (*a*) Yes.

(*b*) It was held that the lower division clerks had no cause for complaint, except that in the case of two Departments orders passed in 1910 regarding the promotion of such clerks to the upper division had not been fully adhered to. Steps have been taken to remedy this grievance.

(*c*) (*i*) No.

(*ii*) No.

(*iii*) No.

		Candidates.	Vacancies.
(*d*)	1916	4	17
	1917	17	7
	1918	16	10"

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***11.**

ost of primary ducation in he United ingdom.

Will the Government be pleased to state what proportion of the cost of primary education controlled or provided by local bodies in England, Wales, Scotland and Ireland is contributed by the State in those parts of the United Kingdom, respectively, so far as such information is available to the Government?

Answer by the Hon'ble Mr. O'Malley:—

" On the average of the five pre-war years 46·9 per cent. of the total expenditure on elementary education in England and Wales was from Parliamentary grants. Statistics for the war years are not available since the compilation of statistics in England and Wales was suspended during the war. For comparative purposes, therefore, the five pre-war years have been taken in the case of Scotland and Ireland. Expenditure from Parliamentary grants for education in Scotland during this period was 54·2 per cent. of the total expenditure by School Boards. It is not possible to say how much of this was on " elementary " as opposed to " secondary " schools, both of which are, in accordance with the Education Act of 1872, under School Boards In Ireland the expenditure by the Commissioners of National Education from Parliamentary grants in the same quinquennial period was 84·9 per cent. This latter figure excludes 3·5 per cent. which is provided for the erection and maintenance of school houses provided for in the vote of the Board of Works "

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

rimary lucation in engal.

(*a*) With reference to the observations made by the Hon'ble Mr. Hornell, in connection with the discussion of the budget in April, 1915, in which he expressed his anxiety to overhaul the whole system of primary education, will the Government be pleased to state what progress, if any, has since been made in the matter, and when the whole question is likely to be referred to a " large committee " as foreshadowed by Mr Hornell in his said speech?

(*b*) Has Mr. Hornell drawn up any programme in this connection?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) The reorganization of the system of primary education involves a number of reforms such as—

(1) the improvement of the pay and prospects of teachers,

(2) the training of teachers,

(3) the establishment of more primary schools and the proper maintenance and equipment of those already established, and

(4) the revision of the curriculum.

Progress has been impeded by financial exigencies imposed by the war, but during the quinquennium ending in 1917-18 the pay of trained teachers in aided primary schools and *maktabs* for boys was increased by Rs. 6 a month with the help of Imperial grants and that of untrained teachers by Re. 1 a month. An allotment has since been made from the 5½ lakhs grant to enable local bodies to raise the stipends of untrained teachers to Rs. 2 a month where they are below that figure. The stipends of *gurus* under training have been raised to Rs. 10 a month and a comprehensive scheme for training teachers has been prepared which will require the sanction of the Secretary of State. A scheme for establishing a lower primary school of an

improved type in each panchayati union has been held in abeyance owing to financial stringency, but will now be resumed: it is hoped shortly to establish 120 schools of this class. As regards maintenance and equipment, arrangements have been made for district boards undertaking the annual repair of Board primary schools, Government contributing two-thirds of the cost, and about 50 per cent of the existing primary schools have been furnished with additional equipment. A survey of primary education both in Calcutta and the districts has been carried out; and a revised curriculum has been prepared, which it is proposed to publish for criticism. It is not at present proposed to convene a committee

(*b*) Mr. Hornell, who has been on deputation since the latter part of 1917, had a definite plan of action but did not submit a programme to Government."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

2.

(*a*) Are the Government aware that there is, in Bengal, a particular class of people who practise with remarkable success an indigenous system of treatment, and supply nurses, in small-pox cases? Indigenous system of treatment of small-pox.

(*b*) Has the attention of Government been drawn to the action recently taken by the District Board of Mymensingh in announcing rewards and prizes to these men for their encouragement and for promotion of the system of treatment they practise?

(*c*) Is it a fact that the number of these men has been decreasing in recent years?

(*d*) Are the Government considering the desirability of taking steps to insure that the above indigenous system of treatment of small-pox largely availed of by the people, particularly in rural areas, and often with very good results, may not die out for want of support?

Answer by the Hon'ble Mr. Donald:—

"(*a*) Government have made inquiry as to the facts relative to the Mymensingh district It is said that there exists there a class of people called *tikadars* who nurse small-pox patients, but it is not clear that these persons possess or even claim to possess an indigenous system of treatment.

(*b*) and (*c*) In November last the Mymensingh District Board resolved to allot a sum of Rs. 2,000, in the budget for 1919-20, for rewards to persons credibly reported to have nursed small-pox patients The sanitation committee of the Board had expressed the opinion that it was desirable to prevent the class of *tikadars* from dying out.

(*d*) The information available does not permit of a definite answer: further inquiry will be made."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

(*a*) Are the Government in a position to make a statement showing how far the utilisation by the people of water-hyacinth for manurial and commercial purposes has helped to check the spread of the plant in the water-courses of Eastern Bengal? Spread of water-hyacinth in Eastern Bengal

(*b*) Is it a fact that Mr. R. S. Finlow, Fibre Expert, Government of Bengal, is of opinion that the low grade ash of water-hyacinth growing in shallow water cannot benefit either the producer or the buyer?

(*c*) Is it also a fact that the low grade ash has only a restricted use a manure and that Messrs. Shaw, Wallace & Co. are not prepared to t water-hyacinth ash containing less than 15 *per cent.* of potash?

(*d*) If so, how do the Government propose to deal with the problem checking the spread of water-hyacinth?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) It is too early to make any definite pronouncement on the subje On inquiry it is, however, found that a considerable and increasing quant of the plant is being used by the people for manure and fodder for cattle a also as fuel

(*b*) Mr. R. S Finlow, Fibre Expert to this Government, is of opini that for commercial purposes the production of low grade ash will be unp fitable, but that for manurial purposes on the part of the producer or l immediate neighbours it is of value commensurate with its potash content.

(*c*) As to the first part of the question the Hon'ble Member is referr to the reply to question (*b*). The answer to the second part is in t affirmative.

(*d*) The question assumes that, because the low grade ash has only restricted use, the problem of checking the spread of water-hyacinth seriously affected thereby. This is not the case, as experiments show that considerable proportion of the plant is capable of yielding an ash sufficiently good quality for commercial purposes; moreover, a simple proce has been evolved for extracting the potash in the form of crystals.

The fact that low grade ash has only a restricted use is also not undesirable drawback; for it is obvious that, if the ash were too profitab there would be a tendency to cultivate the plant rather than to extermina it.

At present it is considered that the best method of checking the spre of the pest is the extended destruction and utilisation of the plant by t people for (*i*) manure, (*ii*) fuel, (*iii*) fodder and (*iv*) the manufacture of ash.

The Public Works Department of this Government are taking steps root out the plant gradually from all canals or *khals* maintained by Gover ment or declared under the Canals or Embankment Act Some of t District Boards are also co-operating in the matter of extermination."

By the Hon'ble Babu Bhabendra Chandra Ray:—

4.

Opinions of local bodies on the Government of India Resolution regarding Local Self-Government.

With reference to my unstarred question No. 15, asked at the meetin of the Council on the 18th February last, suggesting that opinions should invited from the local bodies regarding the proposals contained in the Gover ment of India Resolution on Local Self-Government dated the 16th May, 191 and the reply thereto, are the Government aware that opinions have been invited and collected by the Government of Madras, and that the Governme of the United Provinces of Agra and Oudh have appointed a committee co sisting of the official and non-official members of the Legislative Council consider the proposals made in the said resolution?

Answer by the Hon'ble Mr. O'Malley:—

" This Government have no information on the subject."

By the Hon'ble Babu Bhabendra Chandra Ray:—

5.

With reference to my unstarred question No. 16 asked at the meeting of the Council on the 18th February last, inquiring as to whether Government have addressed the district boards for the purpose of ascertaining which among them desire to have non-official chairmen, are the Government aware that the Government of Bihar and Orissa have addressed the district boards in the matter?

Collection of opinions of district boards as to which of them desire non-official chairmen.

Answer by the Hon'ble Mr. O'Malley:—

"The reply is in the negative. As stated in the reply to question No. 16 asked at the meeting of the Council on 18th February, 1919, Government are considering the question of extending the system of elected non-official chairmen of district boards; and it is hoped to make an announcement on the subject shortly."

By the Hon'ble Babu Bhabendra Chandra Ray:—

6.

Are the Government aware of the procedure by which, under rule 13 of the United Provinces Legislative Council Rules, a committee of official and non-official members of the Council is appointed to consider and recommend legislation on any particular subject, before a Bill is formally introduced into the Legislative Council of the United Provinces?

Procedure under rule 13 of the United Provinces Legislative Council Rules regarding appointment of a committee to consider legislation.

Answer by the Hon'ble Mr. Kerr:—

"Rule 13 of the United Provinces rules for the conduct of business empowers the President of the Council to appoint a committee of members of the Council for the consideration of any question of public interest on which legislation is proposed or likely to be required, and also to appoint a chairman of such committee.

The procedure for the appointment of such committee and of the chairman of such committee appears to be for the President to announce these appointments at a meeting of the Legislative Council."

By the Hon'ble Babu Bhabendra Chandra Ray :—

7.

Are the Government aware of the existence of a Board of Education in the United Provinces, and of its constitution and functions?

United Provinces Board of Education.

Answer by the Hon'ble Mr. O'Malley:—

"The answer is in the affirmative."

By the Hon'ble Babu Bhabendra Chandra Ray :—

8.

(*a*) With reference to the questions asked at previous meetings of the Council regarding the imported Rangoon rice, the wholesale price of which has been fixed by Government for the Calcutta market, have the Government any information as to the appropriate wholesale and retail rates at which the said rice is available in the different district towns and subdivisional headquarters, as compared with the wholesale and retail rates in Calcutta?

Wholesale and retail prices of Rangoon rice.

(*b*) (*i*) What quantities of the said rice have been imported i Calcutta, since its wholesale price was fixed;

(*ii*) how much thereof has been exported beyond the limits of Bengal; a

(*iii*) how much of the same has been supplied to the different districts

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) In view of the reply to question (*b*) (*iii*) this question asks for solution of a hypothetical problem.

(*b*) (*i*) 79,485 tons passed through the Customs up to the end of Februa

(*ii*) It is calculated that 47,000 tons out of the above amount w exported to other provinces up to the end of February.

(*iii*) So far as is known, nothing has been despatched to any district Bengal."

By the Hon'ble Babu Bhabendra Chandra Ray:—

Organisation of a Provincial Department of Industries.

9.

(*a*) Are the Government considering the question of the organisation a Provincial Department of Industries on the lines recommended by t Industries Commission?

(*b*) Is it a fact that the Government of India have asked for the vie of the Local Government on the said question?

(*c*) If so, have the Government formulated their views thereon ?

Answer by the Hon'ble Mr. Donald:—

" (*a*) Yes

(*b*) Yes.

(*c*) The matter is under the consideration of Government, but it is hop that it will shortly be possible to initiate action on the lines of the Report."

By the Hon'ble Babu Bhabendra Chandra Ray:—

Outbreak of dacoities.

10.

(*a*) Is it a fact that there has been recently an unusual outbreak dacoities in certain parts of the province?

(*b*) Is it also a fact that an unusually large number of dacoities has bee committed in the district of Bogra during recent months? If so, what speci measures have been adopted for preventing and detecting such crimes in th said district, and with what results?

Answer by the Hon'ble Mr. Kerr:—

" (*a*) Yes. 753 cases of dacoity were reported in 1918, against 525 i 1917. The increase is most noticeable in the districts of Bogra, Rajshah Dinajpur, Pabna, Bakarganj, Hooghly, Birbhum, Murshidabad and Nadi

(*b*) Yes. Twenty-seven cases of dacoity were reported in the Bogr district during the last half of the year 1918, against seven cases during th corresponding period of 1917.

The following special measures have been taken to deal with the outbreak in this district, viz. :—

(*i*) An extra Assistant Superintendent of Police was posted there in January last.

(*ii*) Special police patrols have been introduced with the assistance of an extra force of sub-inspectors and constables.

(*iii*) Four officers of the Criminal Investigation Department are assisting in the investigation of the cases.

Several specific cases have been detected and it is believed that the gangs responsible for the outbreak have been traced. Since the introduction of these special measures, the number of cases has decreased."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

11.

Will the Government be pleased to state—

Action against journalists under Act IV of 1915.

(*i*) the names of the journalists who have been dealt with under the provisions of the Defence of India (Criminal Law Amendment) Act, 1915, up to the 31st January, 1919, and

(*ii*) the reasons for taking action in each case?

Answer by the Hon'ble Mr. Kerr:—

"Orders under the Defence of India Rules have been passed in respect of 22 persons who were journalists by profession, but in 13 of these cases the reasons for the orders were not connected with the journalistic activities of the persons concerned. Government do not consider it advisable in the public interests to give the names of the individuals, or the detailed reasons for the action taken. In each case the Local Government were satisfied that there were reasonable grounds for believing that the individual in respect of whom the order was passed had acted, was acting or was about to act in a manner prejudicial to the public safety."

By the Hon'ble Babu Siv Narayan Mukharji:—

12.

Will the Government be pleased to lay on the table the complete registers of water-supply up to date, the maintenance of which is authorised in Government resolution No. 15-18 L.S.-G., dated the 11th November, 1912 ?

Registers of water-supply.

Answer by the Hon'ble Mr. O'Malley:—

"Government regret that they are unable to comply with the request owing to the undue amount of labour which would be involved in making copies of the registers for all districts. The registers, for instance, of the 24-Parganas alone are contained in 38 volumes."

By the Hon'ble Babu Siv Narayan Mukharji:—

13.

Will the Government be pleased to lay on the table a statement showing the amount of Public Works cesses that is credited annually to the funds of the district boards of the Presidency and the expenditure incurred on sanitary and anti-malarial measures by the district boards, sub-division by sub-division, of the several districts, since the transfer of the Public Works cess to the district boards was effected in November, 1913?

Public Works cesses credited to district boards.

Answer by the Hon'ble Mr. O'Malley:—

" A statement is laid on the table. The information asked for as to tl expenditure on anti-malarial measures is not available, as such expenditu is entered under different heads and figures for different sub-divisions a not compiled."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to questi No. 13 (unstarred) asked by the Hon'ble* BABU SIV NARAYAN MUKHAR *at the Council Meeting of the 13th March, 1919, showing the amount Public Works cesses credited to District Boards from 1913-14 to 1917-1*

NAME OF DISTRICT BOARD.	AMOUNT OF PUBLIC WORKS CESS (INCLUDING INTEREST ON ARREAR CESS) CREDITED IN THE YEAR—				
	1913-14.	1914-15.	1915-16.	1916-17.	1917-18.
	Rs.	Rs.	Rs.	Rs.	Rs.
Burdwan ...	2,01,292	2,63,348	2,62,592	3,19,920	3,03,808
Birbhum ...	82,377	78,348	82,649	77,163	80,762
Bankura ...	56,015	57,977	51,906	55,561	55,382
Midnapore ...	2,01,262	2,03,593	2,17,058	2,01,539	2,04,371
Hooghly ...	1,09,356	1,06,112	1,06,894	1,05,505	1,05,058
Howrah ...	54,850	53,056	53,447	52,752	57,481
24-Parganas ...	1,73,302	2,15,318	2,40,345	2,31,384	2,18,791
Nadia ...	90,040	82,060	1,04,444	1,08,116	1,00,007
Murshidabad ...	90,732	83,807	92,186	88,511	87,732
Jessore ...	65,809	1,04,684	1,09,871	1,18,428	1,17,877
Khulna ...	1,14,283	1,12,246	1,12,015	1,24,674	1,24,142
Dacca ...	1,20,323	1,31,092	1,25,092	1,33,085	1,35,237
Mymensingh ...	2,77,168	2,48,930	2,74,842	2,66,412	2,80,588
Faridpur ...	80,741	93,315	1,18,771	1,23,675	1,21,850
Bakarganj ...	2,22,182	2,16,961	2,24,092	2,27,863	2,21,798
Chittagong ...	1,30,188	1,21,867	1,20,436	1,24,356	1,20,209
Tippera ...	1,30,559	1,24,116	1,28,400	1,49,811	1,35,069
Noakhali ...	1,07,555	1,11,131	1,09,908	1,20,191	1,06,388
Rajshahi ...	1,04,853	1,03,642	1,03,164	1,07,029	1,08,654
Dinajpur ...	1,02,534	1,02,584	1,16,321	1,22,506	1,16,361
Jalpaiguri ..	81,681	83,424	1,09,129	1,15,744	1,13,708
Rangpur ...	1,68,659	1,62,217	1,76,925	1,73,360	1,60,985
Bogra ...	65,211	62,485	66,988	63,339	63,348
Pabna ...	82,487	79,964	83,701	86,730	79,734
Malda ...	56,078	53,847	56,944	54,638	58,649

By the Hon'ble Babu Siv Narayan Mukharji:—

14.

Relaxation of the rule re contribution of one-third of the cost of water-supply.

(*a*) Will the Government be pleased to state whether the rul insisting on the contribution of a third of the cost of works on water-suppl has been relaxed? If not, why not?

(*b*) Is the number of cases in which the rule has been so relaxed small? If so, are the Government considering the advisability of impressing on the district boards the necessity of taking adequate measures for the supply of pure drinking-water in the rural areas on an extensive scale, in view of the fact that the funds of the district boards have at present been augmented by the surrender of the Public Works cess?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) In circular No. 15 L.S.-G., dated 17th February, 1917 of which a copy is laid on the table, it was made clear that there is no rule or order of Government requiring the local public to contribute one-third of the cost of improving the water-supply in rural areas.

(*b*) The question does not arise."

Circular referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 14 (unstarred) asked by the Hon'ble Babu* SIV NARAYAN MUKHARJI *at the Council meeting of the 13th March, 1919.*

Circular No. 15 L.S.-G., dated Calcutta, the 17th February, 1917.

From—L. S. S. O'MALLEY, ESQ., I.C.S., Secretary to the Government of Bengal, Municipal Department,
To—All Commissioners of Divisions.

In continuation of the correspondence ending with Circular No. 13 L.S.-G., dated the 12th March, 1917, on the subject of expenditure on water-supply by District Boards, I am directed to forward a copy of a question asked and of the answer given to it at the meeting of the Bengal Legislative Council held on the 23rd January, 1917.

2. In circular No. 12 T.—M., dated the 20th May, 1904, Government made a promise that it would contribute a third of the cost of improving the water-supply in rural areas subject to a maximum of Rs. 5,000 for any one district and of Rs. 50,000 for the whole province, provided that the District Boards contributed one-third of the cost and the public another third. The condition that the public should contribute one-third of the cost before a Government grant was made was withdrawn in Eastern Bengal by Government letter No. 4945 M., dated the 20th July, 1908, to the Secretary, Sanitary Board, Eastern Bengal and Assam, in which it was stated that the grant placed at the disposal of the Sanitary Board for the improvement of the water-supply in rural areas should be allotted under such agreements as to private contributions as they might find practicable and suitable to local conditions. In West Bengal the condition was withdrawn in Circular No. 16 T.—L.S.-G., dated the 4th October, 1911, in which Government agreed to contribute one-third of the expenditure incurred by District Boards in any one year on the improvement of the local water-supply subject to a maximum of Rs. 3,000 in each case, irrespective of the amount contributed by the public. It was at the same time explained that the expenditure of the District Boards should supplement and not supersede local efforts. Subsequently the District Funds were considerably augmented by the surrender of the Public Works cess, and it was accordingly announced in resolution No. 228 L.S.-G., dated the 24th January, 1914, that Government would in future give no special grants for the improvement of water supply in rural areas as the District Boards should have no difficulty in providing sufficient funds for the purpose

3. I am to request that you will make it clear to District Boards in your division that there is no rule or order of Government requiring that the local public should contribute one-third of the cost of improving the water-supply. It is left to the discretion of the District Boards to decide what contribution the public should make, but as stated in Circular No. 16 T.—L.S.-G., dated the 4th October, 1911, the idea should not be allowed to gain ground that the need for local co-operation has disappeared.

[4. A copy of Circular No. 16 T.—L.S.-G. dated the 4th October, 1911, is enclosed.] [ ] To Bengal Commissioners only.

Question asked and the answer given to it at the meeting of the Bengal Legislati Council held on the 23rd January, 1917.

Question.—With reference to the remarks made by the Hon'ble Nawab Sir Sy Shams-ul-Huda in the course of the debate on the rural water-supply resolution, moved the Council by the Hon'ble Mr. P. C. Mitter in September last, are the Government co sidering the advisability of withdrawing the circular issued under orders of Sir Andre Fraser which insisted upon a local contribution of one-third of the total expenses excavating tanks, etc?

Answer.—The circular of 1904 to which the Hon'ble Member refers laid down *int alia* that one-third of the cost of any project for improving the supply of drinking-wat in rural areas should be met from public subscriptions before a Government grant w made. This condition was withdrawn by the Government of Eastern Bengal and Assa in 1908, and by the Government of Bengal in 1911. The orders contained in the ci cular of 1904 applied only when grants were made by Government to District Boards f the improvement of the rural water-supply and not when District Boards spent mone for this purpose without receiving a Government subvention. As there appears to l considerable misapprehension on the subject, a circular will shortly issue explainin the position.

By the Hon'ble Babu Siv Narayan Mukharji:—

15.

Scheme for the erection of refuge mounds on the right side of the Damodar.

With reference to the answer to starred question No 17 (*iii*) aske at the Council meeting of the 3rd July 1918, are the Government consider ing the advisability of developing the scheme for the erection of refug mounds on the right side of the Damodar into a practical measure b excavating a number of tanks in the spill area, or at any rate for the presen in certain important villages or centres within that area, and by utilizing th banks of these tanks to serve the purposes of refuge mounds?

Answer by the Hon'ble Mr. Cowley:—

"Government have under consideration proposals for the construction o refuge mounds on the right bank of the Damodar but not on the lines indicate in the Hon'ble Member's question."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

16.

Statement of certain cases pending in sub-judges' courts.

Will the Government be pleased to lay on the table a statement showing, district by district, the total number of suits, appeals and miscellaneous cases pending for six months and one year, respectively, in the different sub-judges' courts in the Presidency of Bengal up to December, 1918?

Answer by the Hon'ble Mr. Duval:—

"Statistics are not compiled of cases pending *for* six months and *for* one year. A statement showing, district by district, the total number of suits, appeals and miscellaneous cases pending for *over* six months and for *over* one year in courts of the subordinate judges in the Presidency, is laid on the table."

ntement referred to in the answer by the HON'BLE MR. DUVAL *to question No. 16 (Unstarred) asked by the* HON'BLE RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 13th March, 1919.*

Districts.	Courts		SUITS — Pending			REGULAR APPEALS — Pending.			MISCELLANEOUS CASES — Miscellaneous Judicial cases			Execution			Miscellaneous appeals.		
			Total.	Over six months.	Over one year.	Total	Over six months.	Over one year.	Total.	Over six months.	Over one year	Total.	Over six months.	Over one year.	Total	Over six months.	Over one year.
	BURDWAN DIVISION.																
an ..	Sub-Judge, 1st Court ...	S. c. c.	49	...	...	..	...	...	..	.	.	..	..	..	..	...	...
		O.	111	31	31	28	23	1	37	1	..	125	14	1	...	...	.
	Ditto, 2nd ,, ...	S. c. c.	...	...	...	.	.	...	...	...	...	..	..	..	.	...	...
		O.	101	29	37	20	18	1	7	..	...	72	18	2	.	...	...
	Total		261	60	68	48	41	2	44	1	..	197	32	3	..	...	.
im ..	Sub-Judge ...	S. c. c.	24	1	.	...	...	...	..	...	...	16	...	...	..	...	...
		O.	157	33	73	15	...	15	60	12	1	92	28	18		...	...
	Total		181	34	73	15	..	15	60	12	1	108	28	18		...	...
ira ...	Sub-Judge ...	S. c. c.	38	...	...	...	...	...	...	.	.	...	...	...	..	...	...
		O.	96	29	43	1	...	1	62	2	37	120	16	3	.	.	...
	Total		134	29	43	1	..	1	62	2	37	120	16	3	.		...
	Sub-Judge, 1st Court ...	S. c. c.	70	1	..	...	...	...	..	...	...	..	...	..	..	.	...
		O.	112	35	27	49	17	29	189	10	.	57	15	...	...	...	...
ore	Ditto, 2nd ,, ...	S. c. c.	53	...	..	...	...	...	..	...	...	..	...	..	..	...	...
		O.	130	13	59	39	7	32	79	1	...	49	6	.	.	..	..
	Ditto, 3rd ,, ...	S. c. c.	.	.	.	...	...	...	.	.	.	.	.	.	..	...	...
		O.	77	27	24	62	20	32	19	...	..	23	1	.	.	...	...
	Total ...		451	76	110	140	44	96	287	11	..	129	22	.	.	...	...
	Sub-Judge, 1st Court ...	S. c. c.	..	.	...	..	...	..	...	..	...	.	..	..	.	...	...
		O.	2	...	2	82	1	77	44	20	7	1	1	..	..	..	..
	Ditto, 2nd ,, ...	S. c. c.	47	...	.	..	..	...	...	...	...	...	...	..	.	...	...
		O.	77	15	41	29	3	25	26	3	...	65	13	5	1	1	...
	Ditto, 3rd ,, ...	S. c. c.	32	.	..	...	...	...	...	...	...	.	.	.	..	..	..
		O.	138	36	42	43	1	42	45	2	.	73	18	7	..	.	.
	Ditto, Howrah .	O	177	56	62	28	20	8	48	4	...	59	7	2	..	..	...
	Ditto, Addl Court, Howrah	O	31	1	30	32	30	2	...	...	...	3	..	...	.	.	.
	Ditto, ,, ,, Hooghly	O.	37	10	27	55	...	53	5	..	...	1	...	.	.	...	...
	Total .		541	118	194	269	55	207	168	29	7	202	39	14	1	1	...
	GRAND TOTAL ..		1,568	317	488	473	140	321	621	55	45	756	137	38	1	1	
	PRESIDENCY DIVISION.																
	Sub-Judge, 1st Court ...	S. c. c.	...	...	...	...	...	...	...	.	...	..	..	..	.	...	...
		O.	185	49	45	16	13	3	41	.	6	116	27	6	.	..	..
	Ditto, 2nd ,,	S. c. c.	..	...	...	.	..	...	...	...	...	...	..	.	...	..	...
tion		O.	113	29	25	12	11		66	6	..	37	7	3	.	..	...
	Ditto, 3rd , ...	S. c. c.	34	.	.	...	...	..	...	...	...	..	...	.	.	...	...
		O.	105	38	25	26	22	3	55	...	...	90	6	...	.	.	...
	Ditto, 4th ,, .	O.	142	42	36	17	16	...	99	4	...	80	29	3	...	...	...
	Ditto, Addl Court ...	O.	..	...	...	...	...	...	...	...	...	...	...	...	...	...	.
	Total ...		579	186	131	71	62		261	10	6	323	69	12	.	.	.
...	Sub-Judge ...	S. c. c.	34	8	...	...	...	...	9	1	...	130	4	1	..	...	...
		O.	148	41	77	35	3	10	33	5	3	82	31	19	..	..	...
	Total ...		182	49	77	35	3	10	42	6	3	212	35	20	..		.
bad ...	Sub-Judge	S. c. c.	117	...	...	.	..	...	...	...	...	57	...	.		...	...
		O.	167	75	31	6	5	...	41	1	...	67	8		1	...	...
	Total ...		284	75	31	6	5	...	41	1	...	124	8	...	1	...	...
...	Sub-Judge	S. c. c.	45	3	...	..	...	...	..	...	...	...	...	..	..	..	...
		O.	113	40	23	126	114	9	49	3	...	168	38	14	..	...	...
	Total ...		158	43	23	126	114	9	49	3	..	168	38	14	.	...	...
.	Sub-Judge, 1st Court ...	S. c. c.	13	...	...	...	...	...	...	...	...	...	.	...	...	...	...
		O.	28	12	5	49	32	...	24	1	..	70	12	...	...	.	...
	Ditto, Addl Court ..	S. c. c.	23	...	...	...	...	...	...	...	..	..	..	...	...	..	...
		O.	64	35	10	86	69	1	33	1	...	49	8	.	...	...	...
	Total ...		128	47	15	135	101	1	57	2	...	119	20	...	...	...	...
	GRAND TOTAL ...		1,331	370	277	372	285	26	450	22	9	946	161	46	1	...	...

Districts.	Courts.		SUITS. Pending. Total.	Over six months.	Over one year.	REGULAR APPEALS. Pending. Total.	Over six months.	Over one year.	MISCELLANEOUS CASES. Miscellaneous Judicial cases. Total.	Over six months.	Over one year.	Execution. Total.	Over six months.	Over one year.	Mis Total.
	DACCA DIVISION.														
Dacca ...	Sub-Judge, 1st Court ...	O.	805	84	623	4	..	4	16	...	...	77	18	15	...
	Ditto, 2nd ,, ...	O.	381	126	125	1	...	1	56	17	...	84	19	8	..
	Ditto, 3rd ,, ...	O.	...	...	..	11	3	6	46	...		1	..	1	..
	Ditto, 4th ,, ...	O.	80	4	35	9	...	2	14	4	...	64	10	1	...
	Ditto, Addl. Court ...	O	86	1	83	22	2	20	21	3	...	62	7	14	.
	Small Cause Court Judge, Dacca	S. c. c.	336	4	...	..	..	...	34	...	...	732	4	4	..
	Small Cause Court Judge, Munshiganj	S. c. c.	1,003	5	...	..	...	...	23	...	...	494	..	..	...
	Total ...		2,891	224	866	47	5	33	210	24	...	1,514	58	43	...
Mymensingh...	Sub-Judge 1st Court ...	S. c. c.	74	...	...	153	14	...	22	...	...	417	5	...	..
		O.	145	65	6										
	Ditto, 2nd ,, ...	S. c. c.	...	..	..	137	24	1	11	...	..	54	4	...	6
		O.	138	41	43										
	Ditto, 3rd ,, ...	S. c. c	...	...	...	82	40	..	17	2	...	76	6	2	..
		O.	67	25	7										
	Ditto, 4th ,, ...	S. c. c.	...	...	...	169	92	1	19	...	...	59	10	...	3
		O.	149	48	39										
	Additional Court ...	O.	...	..	...	...	..	..	...	...	...	...	...	...	...
	Total ...		573	179	95	541	170	2	69	2	...	596	25	2	9
Faridpur ...	Sub-Judge, 1st Court ...	S. c. c.	18	...	...	372	186	118	85	20	3	249	14	19	29
		O.	169	70	71										
	Ditto, 2nd ,, ...	S. c. c.	11	...	...	274	147	50	34	5	1	65	15	7	26
		O.	133	33	71										
	Total ..		331	103	142	646	332	168	119	25	4	314	29	26	55
Bakarganj	Sub-Judge, 1st Court ...	S. c. c.	26	...	..	356	225	28	41	1		177	11	9	38
		O.	49	17	9										
	Ditto, 2nd ,, ...	S. c. c.	18	2	..	463	268	109	59	7	.	96	18	4	28
		O.	106	34	42										
	Ditto, Addl. Court...	O.	8	...	8	76	15	53	13	...	...	13	2	...	8
	Total ..		207	53	59	895	508	190	113	8	...	286	31	13	74
	GRAND TOTAL ...		3,802	559	1,162	2 129	1,018	393	511	59	4	2,710	143	84	138
	RAJSHAHI DIVISION.														
Rajshahi	Sub-Judge	S. c. c.	117	...	...	18	3	14	38	...	...	216	15	3	
		O.	128	42	12	...	...	...	...	...	...	...	...	...	..
	Additional Court	O.	21	...	21	20	..	20	6	..		6	2	...	
	Total ...		266	42	33	38	3	34	44	.	...	222	17	3	...
Dinajpur	Sub-Judge	S. c. c.	31	...	...	61	1	60	8	3	...	116	1	...	6
		O.	89	25	28	..	...	...	12	5	...	43	6	.	
	Ditto, Jalpaiguri ...	O.	37	11	14	117	64	...	12	...	..	31	6	5	12
	Deputy Commissioner, Sub-Judge, Darjeeling ...	O	1	1	...	1	...	.	2	...	.	..			
	Small Cause Court Judge, Darjeeling	S. c. c.	141	..	...	.	...	..	2	...	..	73	..	...	.
		O.	11	2	1		...			...	..	10	1	..	..
	Small Cause Court Judge, Kurseong	S. c. c	15	...	...	...	...	...	.	...	...	5		...	
	Total ...		325	39	43	179	65	60	36	8	..	278	14	5	18
Rangpur ...	Sub-Judge	S. c. c.	232	2	1	42	37	3	41	1	..	355	19	5	
		O.	123	35	24	..	...	.	...	...	...	...	..	...	...
	Total ...		355	37	25	42	37	3	4	1	...	355	19	5	...
Pabna and Bogra	Sub-Judge, 1st Court ...	S. c. c.	26	..	...	...	...	...	...	...	...	...	...	...	...
		O.	48	14	7	31	24	2	45	...	...	241	2	...	...
	Ditto, 2nd ,, ...	S. c. c.	20	1	..	...	...	..	...	..	...	...	...	...	...
		O.	63	15	13	18	14	4	41	6	1	179	19	6	...
	Ditto, Addl. Court ...	O.	9	4	5	8	6	...	4	...	...	1	...	...	1
	Ditto, Bogra ...	S. c. c.	188	...	...	...	...	...	...	...	...	...	...	...	...
		O.	89	2	16	8	...	...	27	...	...	278	6	2	2
	Total ...		443	36	40	63	44	6	47	6	1	699	27	8	3
	GRAND TOTAL ...		1,389	154	141	322	149	103	238	15	1	1,554	77	19	21
	CHITTAGONG DIVISION.														
Tippera ...	Sub-Judge, 1st Court ...	S. c. c.	2	...	..	...	...	...	...	...	...	...	...	...	...
		O.	112	38	25	134	126	...	45	...	...	295	29	.	...
	Ditto, 2nd ,, ...	S. c. c.	108	...	...	...	...	...	...	...	...	...	...	...	...
		O.	85	30	20	126	106	...	31	...	...	271	1	...	...
	Ditto, 3rd ,, ...	S. c. c.	..	...	...	...	...	...	...	...	...	...	...	...	...
		O.	127	40	31	73	56	...	40	7	1	229	27	6	..
	Total ...		434	108	76	333	288	...	116	7	1	795	57	6	...
Noakhali ...	Sub-Judge	S. c. c.	345	27	...	...	...	..	...	...	..	427	27	...	...
		O.	199	98	57	7	1	5	108	19	...	99	34	4	...
	Total ...		544	125	57	7	1	5	108	19	...	526	61	4	...
Chittagong ...	Sub-Judge, 1st Court ...	S. c. c.	24	..	...	...	...	...	...	...	...	...	...	...	...
		O.	74	27	14	347	292	2	30	...	...	89	3	1	17
	Ditto, 2nd ,, ...	S. c. c.	33	...	...	...	...	...	...	...	...	...	...	...	...
		O.	55	19	18	417	308	46	43	...	...	146	22	6	40
	Total ...		186	46	27	764	600	48	73	...	...	235	25	7	57
	GRAND TOTAL ...		1,164	279	160	1,104	889	53	297	26	1	1,556	143	17	57

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:--

17.

Will the Government be pleased to lay on the table a statement showing, in tabular form, the total number of— Number original suits and appeals decided the years 1915–17

(*a*) original civil suits, and

(*b*) (*i*) title, (*ii*) rent, (*iii*) money, and (*iv*) miscellaneous, appeals

decided by each of (*1*) the sub-judges, (*2*) the district judges and (*3*) the additional judges, in the various districts in the Presidency of Bengal during each of the three years 1915, 1916 and 1917?

Answer by the Hon'ble Mr. Duval:—

"Government have no information beyond that contained in the annual reports of the High Court on the administration of Civil Justice, to which the Hon'ble Member is referred. Government are not prepared to undertake the compilation of further statistics as it would involve an amount of trouble and labour wholly incommensurate with any object to be achieved"

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

18.

(*a*) Is it a fact that the litigants of the Court of Small Causes, Calcutta, experience inconvenience in filing suits for the want of the requisite stamps on the day they intend to file a suit and during the hours usually fixed for filing suits in the said court? Inconven of the lit of the Ca Small Cau Court for of stamp

(*b*) What is the average number of stamps sold *per diem* there?

(*c*) What is the total number of suits filed daily during the month of January and up to the 15th February, 1919, in the said court?

(*d*) Will the Government be pleased to state the present arrangements for the sale of stamps in the said court?

(*e*) Are the Government considering the advisability of making some suitable arrangements to cope with the work in connection with the sale of stamps for the convenience of the suitors?

Answer by the Hon'ble Mr. Duval:—

"(*a*) It is a fact that inconvenience has been recently experienced.

(*b*) 620·2.

(*c*) A statement is laid on the table.

(*d*) and (*e*) There are two salaried stamp vendors in the court. Owing to the absence in November last of one of them, who had an attack of influenza, inconvenience was caused to litigants and legal practitioners. On the representation of the Registrar and subsequently of the pleaders of the court, the Collector of Stamp Revenue has directed the sale of stamps up to 4 P.M. instead of up to 2-30 P.M. and is considering the question of strengthening the staff of the stamp department attached to the Court."

Statement referred to in the answer by the HON'BLE MR. DUVAL *to question No. 18 (Unstarred) asked by the* HON'BLE RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 13th March, 1919, showing the total number of suits filed daily in the Small Cause Court, Calcutta, during the month of January and up to the 15th February, 1919.*

Date.	Total number of suits filed.
2nd January 1919	112
3rd January 1919	132
4th January 1919	7
6th January 1919	128
7th January 1919	161
8th January 1919	173
9th January 1919	126
10th January 1919	127
11th January 1919	10
13th January 1919	148
14th January 1919	97
15th January 1919	99
16th January 1919	80
17th January 1919	107
18th January 1919	7
20th January 1919	125
21st January 1919	152
22nd January 1919	154
23rd January 1919	103
24th January 1919	105
25th January 1919	2
27th January 1919	130
28th January 1919	112
29th January 1919	107
30th January 1919	173
31st January 1919	116
1st February 1919	10
3rd February 1919	81
4th February 1919	141
7th February 1919	103
8th February 1919	14
10th February 1919	84
11th February 1919	161
12th February 1919	108
13th February 1919	183
14th February 1919	157
15th February 1919	4
Total	3,839

Of these 661 suits are of the value of Rs. 1,000 and above, 3,172 suits are below Rs. 1,000 and 3 are Municipal appeals without valuation.

DEATH OF SIR ANDREW FRASER.

The President said :—

"Hon'ble Members will wish, I think, that there should appear on the record of our proceedings some expression of our feeling of sorrow at the death of an ex-Lieutenant-Governor of this Province, Sir Andrew Fraser. Sir Andrew Fraser came to Bengal to administer the Province at a time of great difficulty. He had to face the full force of public hostility which was roused by the partition of the Province and, as Hon'ble Members will remember, his life was saved on one occasion by an act of conspicuous gallantry on the part of my Hon'ble colleague the Maharajadhiraja Bahadur of Burdwan. Sir Andrew Fraser consistently endeavoured to bring the non-official and the public into close touch with the Government of the Province. For example, the practice of calling in

non-official members to assist in the preparation of the Budget originated with him, and it was his invariable practice, I believe, to hold conferences and informal consultations with the representatives of the public upon all measures of importance which he had in contemplation. He was a man of very strong religious proclivities and he took an enthusiastic interest in all matters of social reform. It was under his administration that the Juvenile Jail was established and it was under his auspices that the Disorderly Houses Act was passed. His interest in the cultivator found practical expression in a variety of ways. As for example the passing of the Bengal Tenancy (Amendment) Act which had for its object the securing of the interest of landlord and tenant and the protection of the tenant from undue raising of rent. Again, he was deeply interested in the Agricultural Department, the Department of Land Records, the appointment of a Director as the head of the former, and the establishment of an Agricultural College at Sabour. As I have said he came to Bengal at a time of great difficulty. He retired from this country ten years ago after five years of very strenuous labour as Lieutenant-Governor and after a total of thirty-seven years of service in India, and I cannot doubt that when the dust raised by the acute political controversy which darkened his term of office in this Province has blown aside, there will stand revealed to the impartial eye of the historian a valuable output of solid and lasting achievement."

LIST OF BUSINESS—ITEM No. 2.

LEGISLATIVE BUSINESS.

THE BENGAL VILLAGE SELF-GOVERNMENT BILL, 1919.

The Hon'ble Sir Henry Wheeler presented the further report of the Select Committee on the Bengal Village Self-Government Bill, 1919.

He said :—

"My Lord, I beg to present the further report of the Select Committee on the Bengal Village Self-Government Bill, 1919.

The circumstances under which this Bill was recommitted to the Select Committee are fresh in the memory of the members of the Council. The only new material which the Select Committee had before it was the mass of amendments of which notice had been given in Council, and these papers, therefore, formed the basis of our further examination of the question.

The report draws attention to the important changes which we have made, and it will be seen that we started by going through the amendments which, had the Bill been taken in Council on the last occasion, would have been moved by myself. Of these we have embodied 14 in the Bill. We then went through various other amendments which, on the occasion of a previous examination of the list by the official members, seemed susceptible of acceptance without objection if the current of discussion in Council showed that feeling was in favour of them. Out of these amendments we have inserted some 16 in the Bill. Apart from that, there are two other small points in respect of which we made changes. Finally, our consideration of the amendments of which notice had been given, and the further incidental scrutiny of the papers, revealed three other points in which we thought that alterations might be made. In all, therefore, we have made 35 major changes in the Bill, and I hope to that extent the subsequent discussion of the Bill in this Council will be lightened.

The report explains most of them, and I need hardly go through them all. I would invite attention to the amendment mentioned in paragraph 2(10) which undoubtedly drew attention to a defect in the Bill, viz., the absence of any specification of the time within which notice of a desire to move for the transfer of a suit from the union bench should be given. The provision that we are now placing in the Bill is somewhat on the lines of the corresponding section of the Criminal Procedure Code. Then, in paragraph

2(13), we have endeavoured, in part, to meet an amendment of the Hon'ble Babu Akhil Chandra Datta, who desired that the income derived from all pounds and ferries within the union should be made over to the union board. Under the Cattle Trespass Act that is already permissible and we have made no change, but we have amended the Ferries Act so as to render it similarly possible for Government to make over the proceeds from ferries to the union board. In paragraph 3(*b*) reference is made to an amendment by which we have tried to meet a fairly widely expressed wish that, in respect of voters, the residential qualification should be made rather more elastic, though we have preserved it as originally drafted in respect of candidates. It seemed to us that it might reasonably be said that the member of a union board should be a *bonâ fide* resident of the area with the administration of which he has been charged, but on the other hand, a man might not have been resident within the original meaning of the draft Bill so as to entitle him to vote, whereas, owing to his interest in the union, he might reasonably be interested in the selection of his representatives.

In paragraph 3(*c*) we have endeavoured to make it clearer what person should vote on behalf of a joint family. The amendment accepted in paragraph 3(*f*) is of considerable importance, and we have practically reverted to the original position under Act VI of 1870 in respect of the appointment of daffadars. The change which the Bill contemplated, and for which there is much to be said, was the subject of some criticism by way of amendment, and on the whole we have thought it best to maintain the existing practice.

In paragraph 3(*j*) we have taken the opportunity of making what, I think, is an improvement in the basis of assessment, and in paragraph 3(*k*) we have referred to an amendment which was moved by Kumar Shibshekhareswar Ray which reduces the penalty realisable along with the arrear to half the arrear, instead of the whole which is permissible under the present Chaukidari Act. In paragraph 3(*o*) we have taken another amendment of the same Hon'ble Member which entails the omission of a section which was designed with the good intention of ensuring that the class of suits were instituted in the union court for which that body was intended, instead of being taken to the ordinary courts, but on further consideration, we thought that, as it appeared to be controversial and was unlikely often to be used, it might well be omitted. Otherwise, perhaps the most noticeable change we have made is in removing the authority to delegate to circle officers the power to amend an assessment list. A certain amount of wish had been expressed to that effect, which, on the whole, we thought it expedient to meet.

It will be observed that two minutes of dissent are annexed to the report. That of Babu Mahendra Nath Ray, who throughout has given us in the Select Committee much assistance in the consideration of these proposals, deals with two points, the most important of which is the question whether any statutory obligation should be laid on district boards to give financial assistance to union boards. The other note of dissent is by the Hon'ble Babu Bhabendra Chandra Ray, who, unfortunately, did not find himself able to attend our supplementary meetings, and we have therefore been unable to influence him by argument or discussion in respect of the points on which he has now put in a note of dissent.

The only other point to which I would like to invite the attention of the Council is that we propose to take up the consideration of this Bill on the 7th of April. That being so, the latest date for the filing of amendments will be 11 o'clock on the 24th March, and if Hon'ble Members still desire to move in respect of the re-amended Bill the same amendments of which they gave notice to the Bill as first examined by the Select Committee, it will be necessary to give fresh notice, because we must have a clear intimation as to how many of the amendments in that list still stand in the light of the further changes we have made in the Bill. Of course it will be quite sufficient to refer to the numbers of that list in giving this second notice."

LIST OF BUSINESS—ITEM No. 3.

THE REVISED FINANCIAL STATEMENT.

The Hon'ble Sir Henry Wheeler presented the Revised Financial Statement for Bengal for 1919-20.

He said :—

"My Lord, I have the honour to present the Revised Financial Statement of Bengal for the year 1919-20. Since the draft amended Financial Statement was laid before the Council, certain changes have been made in the figures, and these are dealt with in the Memorandum which I think is in the possession of Hon'ble Members. Under the instructions of the Government of India we have raised our receipts from Excise in the revised estimates for 1919-20 by Rs. 3 lakhs, all of which will come to us, and our receipts under Stamps by a like sum, of which we shall get half. So that we have benefited under those two heads to the extent of Rs. 4½ lakhs. In the Budget for the ensuing year there is a corresponding addition of Rs. 3 lakhs under the Excise head, while in respect of Income-tax certain changes contingent upon the Excess Profits Act and the exemption of small incomes, have now been inserted in the estimates.

On the expenditure side we have made some important changes, one of which, that relating to Famine Relief, affects some of the resolutions of which notice has been given to day. It will be noticed that a *communiqué* was issued recently improving the pay of the officers of the Imperial Police and the officers of the Indian Medical Service. In respect of these two re-organizations, we have had to make financial provision, which will entail an increase under Police of Rs. 2½ lakhs, and an increase under Medical of Rs. 1½ lakh. Under Scientific and Miscellaneous Departments we have made a further lump provision of Rs. 2 lakhs in the hope that during the coming year we may be able to make a beginning on the lines of the recommendations of the Industrial Commission—a provision which I trust will commend itself to all—while in respect of Famine Relief, the situation now being slightly worse than it was when we originally framed the Budget, we have made a further provision of Rs. 2 lakhs for relief measures, of which Rs. ½ lakh is debitable to us and the balance to Imperial. In the net result, at the end of 1919-20, our closing balance is estimated to be Rs. 3,23,23,000 in place of Rs. 3,22,23,000, at which it stood before.

Hon'ble Members will notice that there is an error of printing in the heading 'revised estimate, 1919-20', which really, of course, should be the revised estimate for 1918-19."

REVISED FINANCIAL STATEMENT, BENGAL, 1919-20.

GOVERNMENT OF BENGAL.

FINANCIAL DEPARTMENT.

Finance.

Calcutta, the 12th March 1919.

MEMORANDUM.

In accordance with rule 14 (*1*) and (*2*) of the Bengal Legislative (Financial Statement) Rules, 1912, published with Notification No. 4482 F., dated the 10th December 1912, the following memorandum is circulated, indicating alterations in the figures which have been made since the circulation of the Amended Draft Financial Statement, Bengal, for 1919-20 on the 4th instant.

2. The following changes have been made under the orders of the Government of India :—

REVISED ESTIMATE, 1918-19.

Receipts.

The revised estimates under the following heads have been raised by the amounts noted against each, with reference to the increase in receipts in February.

	Total increase	Provincial share.
	Rs.	Rs.
IV—Stamps	3,00,000	1,50,000
V—Excise	3,00,000	3,00,000

3. These changes have raised the estimates of total receipts from Rs. 7,25,07,000 to Rs. 7,29,57,000. The closing balance now stands at Rs. 3,70,52,000.

BUDGET, 1919-20.

Receipts.

V—Excise.—The estimate has been raised by Rs. 3,00,000, from Rs. 1,84,00,000 to Rs. 1,87,00,000, in view of the increase in the revised estimate for 1918-19.

The alterations mentioned in the memorandum circulated on the 4th March 1919, viz., VIII—Income-tax reduced from Rs. 1,15,00,000 to Rs. 88,75,000, and "Transfers between imperial and provincial revenues" raised from Rs. 5,34,000 to Rs. 31,59,000, have now been incorporated in the Estimates.

The total provincial receipts now stand at Rs. 7,29,83,000 against Rs. 7,26,83,000 as previously adopted.

Expenditure.

20—Police.—The estimate under this head has been raised by Rs. 2,50,000 to give effect to the revision of the rates of pay of Imperial Police officers which has recently been sanctioned by the Secretary of State.

The total estimate under this head is now Rs. 1,36,21,000.

24—Medical.—An additional provision of Rs. 1,50,000 has been made in view of the recent announcement in regard to the emoluments of the officers of the Indian Medical Service. The total allotment under Medical now stands at Rs. 27,69,000.

26-B—Scientific and Miscellaneous Departments.—With a view to give immediate effect, as far as possible, to the recommendations of the Indian Industrial Commission, the lump provision of Rs. 50,000 for the development of industries has been raised to Rs. 2,50,000. The total estimate under this head now amounts to Rs. 10,68,000.

33—Famine Relief.—To relieve the distress prevailing in certain parts of the Presidency, owing to unfavourable agricultural conditions, a provision of Rs. 2,00,000 has been made for relief measures; of this sum Rs. 50,000 is debitable to provincial, and the balance to imperial, revenues.

4. The total charges for 1919-20 are now raised from Rs. 7,70,62,000 to Rs. 7,77,12,000 and the closing balance from Rs. 3,22,23,000 to Rs. 3,23,23,000 as shown below :—

	Revised estimate, 1918-19	Budget estimate, 1919-20
	Rs.	Rs.
Opening balance ...	3,67,64,000	3,70,52,000
Receipts	7,29,57,000	7,29,83,000
Expenditure	7,26,69,000	7,77,12,000
Closing balance ...	3,70,52,000	3,23,23,000

5. Copies of the Revised Financial Statement incorporating these changes are circulated herewith.

H. WHEELER.

D FINANCIAL STATEMENT OF THE GOVERNMENT OF BENGAL FOR 1919-20.

t of proposed Receipts for 1919-20, embodying also the Revised and Budget Estimates for 1918-19 and the Accounts from 1915-16 to 1917-18.

FIGURES ARE IN THOUSANDS OF RUPEES.

AD OF REVENUE.	ACCOUNTS. 1915-16.	1916-17.	1917-18.	Budget estimate 1918-19.	Revised estimate, 1918-19	Budget estimate, 1919-20.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
ng balance ...	2,72,60,323	2,79,19,135	3,39,64,039	3,77,52	3,67,64	3,70,52
ads of Revenue—						
and Revenue ...	1,65,61,815	1,65,02,460	1,61,19,880	1,65,48	1,66,21	1,66,21
amps	1,12,18,670	1,20,75,985	1,16,05,915	1,20,50	1,24,00	1,27,50
xcise	1,51,40,074	1,44,44,229	1,56,36,222	1,60,00	1,78,00	1,87,00
ovincial Rates ...	2,33,853	1,34,841	1,39,091	1,17	1,22	1,24
ncome Tax ...	36,13,306	84,27 714	1,03,96,235	1,07,50	1,10,00	88,75
orests	11,45,610	13,38,779	13,76,970	16,00	18,00	16,30
egistration ...	20,36,068	21,48,927	19,04,027	19,60	19,00	19,00
Total ...	4,99,49,396	5,50,72,935	5,71,78,340	5,90,25	6,16,43	6 06,00
nterest	4,63,551	6,49,042	6,89,791	5,55	5,35	5,38
Civil Department—						
aw and Justice—						
A—Court of Law	8,43,999	9,21,386	11,22,200	12,23	10,67	11,88
B—Jails ...	9,09,148	12,13,040	12,01,713	13,52	13,00	10,01
olice	1,90,866	1,83,633	1,87,154	1,87	2,54	2,37
orts and Pilotage ...	13,49,562	12,60,964	10,06,412	10,30	13,10	12,64
ducation	8,86,574	9,47,392	9,51,950	9,79	9,89	10,29
edical	3,59,574	3,73,618	4 00,834	4,05	4,05	3,96
antation	660	83,937	12,322	18	8	10
griculture ...	1 01,156	1,16,197	1,21,456	1,55	1.47	1,85
cientific and Miscellaneous Departments ...	6,04,849	12,60,469	26,35,397	19,09	18,80	10,82
Total ...	52,46,388	63,60,636	76,39,438	72,58	73,60	63,92
s—						
Receipts in and of Superannuation ...	54,583	59,011	57,369	56	60	58
Stationery and Printing	1,33,395	1,49,799	1,40,097	1,22	1,42	1,49
Miscellaneous ...	6,65,208	7,51,242	5,65,563	6,81	9,53	6,99
Total ...	8,53,186	9,60,052	7,63,029	8,59	11,55	9,06
Major Works (direct receipts) ...	1,39,040	1,44,866	1,39,151	1,41	1,50	1.40
Minor Works and Navigation—						
By Public Works Department ...	3,13,865	3,92,248	4,23,696	3,80	5,00	5,00
By Civil Department ...	26,407	24,940	22,128	25	25	29
Total ...	4,79,312	5,62,054	5,84,975	5,46	6,75	6,69
l Roads—						
Civil Works—						
By Public Works Department ...	4,72,054	5,66,507	4,79,016	4,66	5,65	5,55
By Civil Department	1,46,492	2,90,949	1,38,959	1,58	1,40	1,69
Total ...	6,18,546	8,57,456	6,17,975	6,24	7,05	7,24
Transfers between Imperial and Provincial Revenues ...	+58,49,619	+17,69,861	+11,94,252	+7,67	+8,84	+31,59
tal Receipts ...	6,34,59,998	6,62,32,036	6,86,67,800	6,96,34	7,29,57	7,29,83
RAND TOTAL ...	9,07,20,321	9,41,51,171	10,26,31,839	10,73,96	10,97,21	11,00,35

Statement of proposed charges for 1919-20, embodying also the Revised and Estimates for 1918-19 and the Accounts from 1915-16 to 1917-18.

FIGURES ARE IN THOUSANDS

HEAD OF EXPENDITURE	ACCOUNTS. 1915-16	1916-17.	1917-18.	Budget estimate, 1918-19.	Revised estimate, 1918-19.
1	2	3	4	5	6
Direct demand on the Revenues—	Rs.	Rs.	Rs.	Rs.	Rs.
1. Refunds and Drawbacks ...	1,81,371	2,68,362	2,43,021	2,09	2,57
2. Assignments and Compensations	30,030	54,695	76,399	1,43	1,38
3. Land Revenue ...	34,76,687	34,92,481	34,94,026	36,28	35,18
6. Stamps	2,91,355	3,13,186	3,15,099	3,69	3,16
7. Excise	7,74,858	9,39,493	9,99,661	10,85	10,47
10. Income-tax	76,482	81,377	87,086	89	93
11. Forests	5,93,635	6,19,649	7,38,713	7,50	8,30
12. Registration	11,27,328	11,34,770	11,41,039	11,57	11,23
Total ...	65,51,746	69,04,013	70,95,044	74,30	73,24
13. Interest on Ordinary Debt ...	4,76,626	5,01,745	4,72,123	4,53	4,42
Salaries and Expenses of Civil Departments—					
18. General Administration ...	23,88,887	24,82,180	25,83,941	25,88	26,11
19. Law and Justice—					
A—Courts of Law ...	1 03,11,110	99,20,187	1,00,08,704	1,01 75	1,04,20
B—Jails	25,06,617	27,96,318	30,35,129	30,03	33,36
20. Police	1,09,03,783	1,16,57,283	1,26,13,287	1,37,85	1,30,45
21. Ports and Pilotage ...	13,73,063	11,15,029	11,60,185	11,12	12,47
22. Education	84,83,414	76,87,152	80,92,061	1 03,01	85,00
24A. Medical	22 83,740	23,36,330	28,04,071	26,86	26,67
24B. Sanitation	5,43,345	3,93,456	4,69,180	11,71	9 04
25. Political	23,187	89,380	2,79,727	2,99	2,88
26A. Agriculture	11,39,162	10,86,600	11,71,522	14 20	15,34
26B. Scientific and Miscellaneous Departments ...	4,47,690	4,69,606	5,55,255	19,60	22,09
Total ...	4,04,03,998	4,00,33,521	4,27,73,062	4,85,00	4,67,61
Miscellaneous—					
29. Superannuation, etc. ...	31,41,809	33,01,098	33,75,972	35,30	34,78
30. Stationery and Printing ...	13,01,451	12,91,585	13,73,722	14,38	14,73
32. Miscellaneous	6,38,467	2,47,836	3,24,679	9,14	7,96
Total ...	50,81,727	48,40,519	50,74,373	58,82	57,47
Famine Relief and Insurance—					
33. Famine Relief ...	...	1,47,237	...	...	...
36. Reduction or avoidance of Debt	60,000	60,000	...	...	...
Railways (Revenue Accounts)—					
40. Subsidised Companies—					
Land, etc.	...	6	...	...	...
Total ...	60,000	2,07,243	...	...	...
Irrigation—					
42. Major Works—					
Working expenses ...	98,011	92,902	85,650	1,35	1,19
Interest on Debt ...	1,74,238	1,65,402	1,74,263	1,66	1,75
43. Minor Works and Navigation—					
By Public Works Department	11,47,225	10,01,210	11,71,568	13,50	14,17
By Civil Department ...	1,022	852	790	1	1
Total ...	14,20,496	12,60,366	14,32,271	16,52	17,12
Buildings and Roads—					
45. Civil Works—					
By Public Works Department	67,82,385	56,55,383	77,95,690	84,88	95,00
By Civil Department ...	20,24,208	7,84,342	12,24,603	12,49	11,83
Total ...	88,06,593	64,39,725	90,20,293	97,37	1,06,83
Total Charges ...	6,28,01,186	6,01,87,132	6,58,67,166	7,36,54	7,26,69
Closing Balance ...	2,79,19,135	3,39,64,039	3,67,64,673	3,37,32	3,70,52
GRAND TOTAL ...	9,07,20,321	9,41,51,171	10,26,31,839	10,73,86	10,97,21
Provincial surplus (+) or deficit (−)	+6,58,812	+60,44,904	+28,00,634	−40,20	+2,88

REVISED FINANCIAL STATEMENT OF THE GOVERNMENT OF BENGAL FOR 1919-20.

PART I.—Memorandum by the Finance Member.

General Financial Situation.

This statement is presented to the Council under rule 14(*1*) of the Rules for the Discussion of the Annual Financial Statement, published with Notification No. 4482-F., dated the 10th December 1912. On the 18th of December last, when the departmental budgets were under preparation, the Hon'ble Members of the Finance Committee were invited in an informal meeting to advise Government as to the selection of new schemes for inclusion in the coming year's budget. As required by rule 6(*1*) of the Bengal Legislative (Financial Statement) Rules, 1912, copies of the Draft Financial Statement were formally presented to the Finance Committee on the 24th January 1919, and the committee was asked to advise on the distribution of the "unallotted" expenditure provisionally allowed by the Government of India in passing orders on the first edition of the budget. On the 26th of February 1919, all the Hon'ble Members of this Council were supplied with copies of the Amended Draft Financial Statement, together with copies of the second edition of the Civil Budget Estimates.

This memorandum is divided into two parts. Part I gives a brief but purely comprehensive review, and Part II more detailed particulars, of the provincial transactions. As Part II gives detailed explanations of the estimates of revenue and expenditure, it is not necessary here to do more than refer to the more important figures.

2. The budget for the current year provided for an opening balance of Rs. 3,77,52,000, but the actual opening balance amounted to Rs. 3,67,64,000 or Rs. 9,88,000 less than the estimate. This was the result of a diminution in receipts and an increase in expenditure in 1917-18 as compared with the results anticipated at the time the estimate was made. The fall in the receipts was shared principally by Income-tax (Rs. 1,54,000), Forests (Rs. 1,23,000), Jails (Rs. 1,98,000) and Miscellaneous (Rs. 1,30,000). These decreases were, however, counterbalanced to some extent by larger receipts under Excise (Rs. 1,36,000), Interest (Rs. 85,000) and Transfers between Imperial and Provincial (Rs. 2,87,000). The expenditure was Rs. 9,03,000 in excess of the revised estimate, due mainly to an increase under Police (Rs. 2,29,000), Ports and Pilotage (Rs. 1,25,000) and Civil Works, Public Works Department (Rs. 6,46,000). The excesses were, however, to some extent counterbalanced by savings under Sanitation, and under Scientific and Miscellaneous Departments. The transactions of the year thus showed a surplus of Rs. 28,00,000 against the surplus of Rs. 37,88,000 anticipated in the revised estimate, thereby reducing the opening balance by Rs. 9,88,000.

3. Turning now to the general financial situation of the province in the current and coming financial years, the following is a summary of the position :—

	Budget estimate, 1918-19	Revised estimate, 1918-19	Budget estimate, 1919-20.
	Rs.	Rs.	Rs.
Opening balance ...	3,77,52,000	3,67,64,000	3,70,52,000
Receipts	6,96,34,000	7,29,57,000	7,29,83,000
Expenditure ...	7,36,54,000	7,26,69,000	7,77,12,000
Closing balance ...	3,37,32,000	3,70,52,000	3,23,23,000

The current year's budget provided for an opening balanc Rs. 3,77,52,000, adding which to the revenue estimate of Rs. 6,88,67,000 allowing for a net transfer from imperial to provincial revenues of Rs. 7,67 a total of Rs. 10,73,86,000 is arrived at. Of this sum it was propose spend Rs. 7,36,54,000, leaving a closing balance of Rs. 3,37.32,000. revised estimates show how far these anticipations have been realise actual working. They are an attempt to forecast the probable receipts expenditure of the year by adding to the actuals of the first nine mo an estimate of the transactions of the remaining period. As the actua each successive month become available, the estimates are further rev and the figures, therefore, are liable to modification up to the time budget is finally passed. So far as can be seen at present, receipts this will be Rs. 33.23,000 better than the budget figure. The table l compares the budget and revised estimates for the current year unde chief major heads :—

	Heads of Revenue.	Actuals, 1917-18	Budget estimate, 1918-19	Revised estimate, 1918-19	Variat between and rev (colum column
1		2	3	4	5
		Rs.	Rs.	Rs.	Rs
I.	Land Revenue ...	1,61,20,000	1,65,48,000	1,66,21,000	+ 7
IV.	Stamps	1,16,06,000	1,20,50,000	1,24,00,000	+ 3,5
V.	Excise	1,56,36,000	1,60,00,000	1,78,00,000	+18,0
VIII.	Income-tax ...	1,03,96,000	1,07,50,000	1,10,00,000	+ 2,5
IX.	Forests	13,77,000	16,00,000	18,00,000	+ 2,0
X.	Registration	19,04,000	19,60,000	19,00,000	6
XVIA.	Law and Justice—Courts of Law.	11,22,000	12,23,000	10,67,000	- 1,5
XVIB.	Jails	12,02,000	13,52,000	13,00,000	- 5
XVIII.	Ports and Pilotage ...	10,06,000	10,30,000	13,10,000	+ 2,8
XIX.	Education	9,52,000	9,79,000	9,89,000	+ 1
XXIB.	Scientific and Miscellaneous Departments.	26,35,000	19,09,000	18,80,000	- 2
XXV.	Miscellaneous ...	5,65,000	6,81,000	9,53,000	+ 2,7
XXX.	Minor Works and Navigation—Public Works Department.	4,24,000	3,80,000	5,00,000	+ 1,2
XXXI.	Civil Works—Public Works Department.	4,79,000	4,66,000	5,65,000	+ 9
	Other heads	20,50,000	19,39,000	19,88,000	+ 4
	Transfer between Imperial and Provincial Revenues.	11,94,000	7,67,000	8,84,000	+ 1,1
	Total ...	6,86,68,000	6,96,34,000	7,29,57,000	+33,2

The main features of the figures here presented are the large incre under Stamps, Excise, Income-Tax, Forests, Ports and Pilotage, Miscellan and Minor Works and Navigation, an increase in transfers betw Imperial and Provincial, and a set-back in Registration and Law and Justi

Courts of Law. The largest increase occurs under Excise. The revenue under this head recovered in 1917-18 from the fall in the three successive years ending in 1916-17. Particularly was this so in Calcutta, where the adoption of measures for the better control of the trade, and in particular the prevention of dilution and the fixing of maximum prices, contributed to a large increase in the consumption of licit country spirit. It was anticipated that this recovery would be followed by an increase in the receipts in 1918-19, and the budget estimate was placed at Rs. 5 lakhs above the revised estimate of the previous year. The growth of this revenue, however, has much exceeded the forecast and a yield of Rs. 18 lakhs over the budget figure is now expected.

The framing of the estimates of Income-tax under present conditions is a matter of great difficulty, not only because of the introduction of different rates of taxation, but also in consequence of the uncertain and varied effects of the war on trade generally; the increase in profits in various trades is also very unequal, and accentuates the difficulty in arriving at accurate figures. The jute trade enjoyed prosperity in the early part of 1917, and from companies engaged in this trade a considerable increase in income-tax was foreseen. Companies of other kinds, however, showed greater variations in their working. In view of these facts the estimate for the current year was fixed at Rs. 1,07,50,000, but the first ten months' actuals indicate that this forecast was an under-estimate, and this year's receipts are likely to be higher by Rs. 2,50,000 than the sanctioned figure.

The receipts under Stamps fell off in 1914-15, but there was a satisfactory recovery in the two following years. In the year 1917-18 there was again a set-back, but a recovery was anticipated this year, and the estimate for 1918-19 was placed at Rs. 5 lakhs higher than the revised estimate for 1917-18. Owing to improved prosperity in certain trades the actual revenue has exceeded anticipations and is now expected to be higher than the budget figure by Rs. 3½ lakhs.

The large increase under Forests is due partly to larger supplies of timber and sleepers to the Munitions Board for war purposes and partly to the payment this year, by the Munitions Board, of the cost of timber and sleepers supplied to them in the latter part of 1917-18.

The increase under Miscellaneous is due to a special receipt from the sale of the police hospital in Amherst Street. The large increase under Ports and Pilotage is the result of the temporary imposition of a surcharge on pilotage fees in order to counterbalance the increase in expenditure due to the introduction of the system of guaranteed remuneration to the officers of the Pilot Service, while that under Minor Works and Navigation is due mainly to the improved condition of the Madaripur Bil Canal and to a general increase in water-borne goods traffic owing to the shortage of railway wagons.

Transfers between Imperial and Provincial funds show a *plus* entry of Rs. 1,17,000. This difference as compared with the budget figure is mainly due to the additional assignments of Rs. 1,50,000 for the Bengal War Publicity Board, Rs. 47,000 for the Director of Civil Supplies, Bengal, Rs. 95,000 for anti-malarial schemes, Rs. 1,07,000 for improvements and repairs to "Belvedere", Rs. 1,80,000 for agricultural education and Rs. 1,75,000 in connection with the financial arrangements made for the payment of quinine purchased in Java. These additions were counterbalanced to some extent by larger contributions from Provincial funds as compensatory payment to Imperial revenues for the additional taxation accruing from income-tax. The total yield from additional taxation under VIII—Income-tax, which was originally estimated at Rs. 55,72,000, will, it is now anticipated, amount to Rs. 60,00,000. The fall in revenue under Registration is mainly due to adverse economic conditions, and under Law and Justice—Courts of Law, to smaller receipts from fines and process serving fees.

On the expenditure side, against the budget estimate of Rs. 7,36,54,000, the revised estimate stands at Rs. 7,26,69,000, showing a net anticipated saving of Rs. 9,85,000. The conditions induced by the war have rendered the observance of strict economy essential, and expenditure which can be deferred for the present without causing serious administrative inconvenience has been

postponed. This partly accounts for the savings enumerated above, whil other contributory causes are detailed below. The statement below give particulars of the more important heads :—

Heads of expenditure	Actuals, 1917-18.	Budget estimate, 1918-19	Revised estimate, 1918-19.	Variations between budge and revised (column 4—column 3).
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
3. Land Revenue	34,94,000	36,28,000	35,18,000	- 1,10,000
7. Excise	10,00,000	10,85,000	10,47,000	- 38,000
11. Forests	7,39,000	7,50,000	8,30,000	+ 80,000
12. Registration	11,41,000	11,57,000	11,25,000	- 32,000
18. General Administration ...	25,84,000	25,88,000	26,11,000	+ 23,000
19A. Law and Justice—Courts of Law.	1,00,08,000	1,01,75,000	1,04,20,000	+ 2,45,000
19B. Law and Justice—Jails ...	30,35,000	30,03,000	33,36,000	+ 3,33,000
20. Police	1,26,13,000	1,37,85,000	1,30,45,000	- 7,40,000
21. Ports and Pilotage ...	11,60,000	11,12,000	12,47,000	+ 1,35,000
22. Education	80,92,000	1,03,01,000	85,00,000	- 18,01,000
24A. Medical	28,04,000	26,86,000	26,67,000	- 19,000
24B. Sanitation	4,69,000	11,71,000	9,04,000	- 2,67,000
26A. Agriculture	11,72,000	14,20,000	15,34,000	+ 1,14,000
26B. Scientific and Miscellaneous Departments.	5,55,000	19,60,000	22,09,000	+ 2,49,000
29. Superannuation allowance, etc.	33,76,000	35,30,000	34,78,000	- 52,000
30. Stationery and Printing ...	13,74,000	14,38,000	14,73,000	+ 35,000
32. Miscellaneous ...	3,25,000	9,14,000	7,96,000	- 1,18,000
43. Irrigation—Minor Works and Navigation, Public Works Department	11,72,000	13,50,000	14,17,000	+ 67,000
45. Civil Works, Civil ...	12,25,000	12,49,000	11,83,000	- 66,000
45. Civil Works, Public Works Department. Other heads	77,96,000	84,88,000	95,00,000	+10,12,000
	17,33,000	18,64,000	18,29,000	- 35,000
Total ...	6,58,67,000	7,36,54,000	7,26,69,000	- 9,85,000

The largest difference between the budget and revised estimate appears under the head "22—Education", and it will be observed that a saving of Rs. 18,01,000 is expected under this head during the current year. The savings are mainly due to the non-utilization in full of the grants made by the Government of India, but are also partly due to the transfer of money to the Public Works Department for educational works. When the budget was framed the Imperial grants were provided in full in the hope that schemes would be ready early this year, and that most of the provision would be utilized. The nine months' actuals, however, indicate that these expectations are not likely to be fulfilled. Under "20—Police" a saving of Rs. 7,40,000 is expected. This is mainly due to the transfer of about Rs. 6 lakhs to the Public Works Department budget for the construction of buildings and [illegible]

being due to vacancies in the rank and file of the force, which under present conditions it has been difficult to fill.

The savings under Land Revenue are partly due to savings under salaries owing to the deputation of a number of officers to military duty, and partly to the non-utilization in full of the provision for outlay on improvement in Government estates.

Large savings also occur under "Sanitation" and "Miscellaneous", but they are more apparent than real. The savings under the former head are mainly due to the transfer of Rs. 1,90,000 to Irrigation for anti-malarial works. It has been the practice to include under the head "Miscellaneous", a small reserve of Rs. 2 lakhs to meet expenditure under any head of account for which money may be immediately necessary. As the Local Government is precluded from drawing on its balances, it is essential that there should be some money in reserve, for though lapses do generally occur under many heads of expenditure, these lapses seldom become available until late in the year, and in the meantime some provision must be at hand to meet urgent and unforeseen demands. All appropriations out of this reserve, as well as all sanctions accorded by His Excellency the Governor from his petty grants allotment and the adjustments of expenditure on grain compensation allowance, appear under the appropriate major heads; this accounts mainly for the large savings under the head Miscellaneous. The largest excess in expenditure occurs under "Jails", and is mainly due to an increase in the number of prisoners, and to the abnormal rise in the price of cotton, woollen yarns, cloth, blankets, medicines and raw materials for manufacturing purposes.

The increased expenditure under "Law and Justice—Courts of Law", is mainly due to the appointment in several districts of additional District Judges, Subordinate Judges and Munsifs to clear up arrears of judicial work, and to the entertainment of establishment for them.

The difference between the budget and revised estimates for the current year under "26B—Scientific and Miscellaneous Departments" is the result of a large outlay in the purchase of quinine from Java to replace the stocks which have been largely drawn on for military requirements during the past four years.

The large increase under "45—Civil Works, Public Works Department" is chiefly due to the augmentation of the grant under this head by transfers of funds for Educational, Police, Jail and other works, and is, therefore, more apparent than real.

4. In consequence of these changes in the figures of receipts and expenditure, the estimated closing balance of the current year, which is the starting point of the budget for 1919-20, has been taken at Rs. 3,70,52,000, or Rs. 33,20,000 better than the budget. Of the closing balance Rs. 20 lakhs represents the prescribed minimum closing balance of the province, which must be kept intact, while Rs. 2,34,12,000 represents the unspent balances of Imperial recurring and non-recurring grants, or grants which are ear-marked for specific purposes, as detailed below, and which must be spent on those objects. The free Provincial balance, therefore, amounts to Rs. 1,16,40,000 which may be spent in future years :—

	Rs.
Balance of Imperial grants for Education ...	1,20,98,000
Ditto ditto Medical purposes	4,30,000
Ditto ditto Agricultural Education ...	1,00,000
Ditto ditto Sanitation ...	66,43,000
Ranchi lunatic asylum	17,41,000
Amount ear-marked for Provincial equipment ...	24,00,000
Total ...	2,34,12,000
Minimum closing balance	20,00,000
Total ...	2,54,12,000
Available free balance	1,16,40,000
Total ...	3,70,52,000

5. Turning to the budget estimate for 1919-20 the following table summarizes the receipts under the chief heads of revenue :—

Heads of Revenue.	Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.	Difference between the revised estimate, 1918-19, and budget estimate, 1919-20.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
I. Land Revenue	1,65,48,000	1,66,21,000	1,66,21,000	.....
IV. Stamps ...	1,20,50,000	1,24,00,000	1,27,50,000	+ 3,50,000
V. Excise ...	1,60,00,000	1,78,00,000	1,87,00,000	+ 9,00,000
VIII. Income-tax ...	1,07,50,000	1,10,00,000	88,75,000	- 21,25,000
IX. Forests ...	16,00,000	18,00,000	16,30,000	- 1,70,000
X. Registration ...	19,60,000	19,00,000	19,00,000	.....
XVIA. Law and Justice —Courts of Law ..	12,23,000	10,67,000	11,88,000	+ 1,21,000
XVIB. Law and Justice —Jails.	13,52,000	13,00,000	10,01,000	- 2,99,000
XVIII. Ports and Pilotage ...	10,30,000	13,10,000	12,64,000	- 46,000
XIX. Education ...	9,79,000	9,89,000	10,29,000	+ 40,000
XXIB. Scientific and Miscellaneous Departments.	19,09,000	18,80,000	10,82,000	- 7,98,000
XXV. Miscellaneous	6,81,000	9,53,000	6,99,000	- 2,54,000
XXX. Irrigation—Minor Works and Navigation —Public Works Department ...	3,80,000	5,00,000	5,00,000	.....
XXXI. Civil Works—Public Works Department ...	4,66,000	5,65,000	5,55,000	- 10,000
Transfers, between Imperial and Provincial Revenues ...	7,67,000	8,84,000	31,59,000	+22,75,000
Other heads ...	19,39,000	19,88,000	20,30,000	+ 42,000
Total ...	6,96,34,000	7,29,57,000	7,29,83,000	+ 26,000

Beyond the explanations given in Part II of this memorandum few of the figures call for remarks. It is difficult at a time when everything is largely unsettled by the cessation of the war, and when the immediate future is to some extent uncertain, to adjust the revenues with reference to those of the past four years or to pre-war times. It is anticipated, however, that the improvement in the Stamp revenue will be maintained, and that the administration of the Excise Department will result in a still further rise in the Excise receipts. Income-tax receipts are expected, however, to be less than those of the present year. The profits of the jute industry are expected to be better, while there has been increased prosperity in certain mercantile trades. On the other hand, the cotton piece-goods trade has suffered, and there will be loss in revenue on account of the exemption from assessment of all incomes below Rs. 2,000 per annum, and also on account of the rebate of income-tax that shall have to be given in respect of the amounts paid as excess profits duty. Taking it all round, a decrease of Rs. 21¼ lakhs as compared with the revised estimate for the current year is expected. With the cessation of the war the receipts from Jail manufactures and from the sales of quinine are likely to diminish also. In the Transfer Budget the only items calling for mention are the assignment in favour of the Government of Bihar and Orissa for the Ranchi lunatic

asylum, and the Imperial assignments to this Government for expenditure on the Director of Civil Supplies, Bengal, and for the improvement of the port of Chittagong, and the assignment to compensate this Government on account of the loss in income-tax revenue necessitated by the changes in taxation.

For next year a total expenditure of Rs. 7,77,12,000 has been provided, which is higher by Rs. 40,58,000 and Rs. 50,43,000 than the current year's budget and revised estimates, respectively. Details by chief major heads are given in the following table :—

Heads of Expenditure	Budget Estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20	Difference between revised estimate, 1918-19 and budget estimate, 1919-20.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
3. Land Revenue ...	36,28,000	35,18,000	38,14,000	+ 2,96,000
7. Excise	10,85,000	10,47,000	11,37,000	+ 90,000
11. Forests	7,50,000	8,30,000	7,66,000	- 64,000
12. Registration	11,57,000	11,25,000	12,21,000	+ 96,000
18. General Administration ...	25,88,000	26,11,000	26,38,000	+ 27,000
19A. Law and Justice—Courts of Law.	1,01,75,000	1,04,20,000	1,04,35,000	+ 15,000
19B. Law and Justice—Jails ...	30,03,000	33,36,000	30,04,000	- 3,32,000
20. Police	1,37,85,000	1,30,45,000	1,36,21,000	+ 5,76,000
21. Ports and Pilotage ...	11,12,000	12,47,000	13,31,000	+ 84,000
22. Education	1,03,01,000	85,00,000	97,86,000	+ 12,86,000
24A. Medical	26,86,000	26,67,000	27,69,000	+ 1,02,000
24B. Sanitation	11,71,000	9,04,000	18,66,000	+ 9,62,000
26A. Agriculture	14,20,000	15,34,000	17,48,000	+ 2,14,000
26B. Scientific and Miscellaneous Departments ...	19,60,000	22,09,000	10,68,000	- 11,41,000
29. Superannuation and retired allowances	35,30,000	34,78,000	35,47,000	+ 69,000
30. Stationery and Printing ...	14,38,000	14,73,000	14,93,000	+ 20,000
32. Miscellaneous	9,14,000	7,96,000	9,34,000	+ 1,38,000
43. Irrigation Minor Works and Navigation	13,50,000	14,17,000	17,53,000	+ 3,36,000
45. Civil Works—Civil ...	12,49,000	11,83,000	15,64,000	+ 3,81,000
45. Civil Works—Public Works Department. Other heads	84,88,000 18,64,000	95,00,000 18,29,000	1,13,00,000 19,17,000	+ 18,00,000 + 88,000
Total ...	7,36,54,000	7,26,69,000	7,77,12,000	+ 50,43,000

In framing the estimates of expenditure full weight has been given to the spending power of the various departments, with particular reference to their ability to utilize the lump grants made to them for particular purposes, and while making full provision for these grants, large sums have been deducted as probable savings with reference to the expenditure of recent years. A large provision of Rs. 13,84,000, or Rs. 4,34,000 over and above the recurring Imperial assignment, has been made, in accordance with the policy initiated last year for schemes of sanitary improvement and anti-malarial works, in addition to provision for an enquiry into the hookworm disease, for kala-azar research, for an investigation into river pollution and for other minor improvements. In the Irrigation budget too increased provision has been made for drainage schemes in connection with the malaria problem. The schemes for mitigating the effects of the floods of the rivers in the Burdwan Division and for creating a spill from the Bidyadhari river, for the partial canalization of Tolly's Nala, for the reconstruction of the Kidderpore Bridge and for the construction of buildings at Khulna required in connection with the establishment of a new permanent waterways division, have necessitated further large provision in the coming year's Irrigation budget. Agricultural development has also received marked attention. In continuance of the scheme for the distribution of improved paddy and jute seed it is proposed to establish two new district agricultural farms, while in order to complete the cadre

of district agricultural officers, which is necessary in connection with thi scheme, provision has been made for nine additional appointments o this class. It is also in contemplation to strengthen the establishmen for the control and audit of Co-operative Societies, which are rapidly risin in numbers. Further, with the view of giving full effect to a resolution whic was adopted by this Council in the course of the budget debate last yea in regard to the development of Co-operative Societies for industrial purposes a sum of Rs. 38,000 has been so allotted. These are the more importan items of expenditure on Sanitation and Agriculture, and they follow on further development of the policy which has been pursued during the curren year. Turning to other important items of expenditure, there is a provision o Rs. 1,25,000 as a first instalment of the expenditure to be incurred o Circle officers appointed in anticipation of the hoped for development o village self-government. This and larger provision under Survey an Settlement operations in the Darjeeling, Terai and Kalimpong Governmen estates, and the provision of Rs. 25,000 for settlement of waste land in the 24-Parganas, Sundarbans, under the raiyatwari system, accoun for the increase under the Land Revenue head. Under Registration a lump provision of Rs. 48,000 has been put down for a partial revisio of the pay of the clerks and muharrirs of the sub-registry offices in th Presidency, a long delayed reform which has hitherto been barred b financial stringency. A provision of Rs. 11,000 has also been mad towards the revision of the cadre of district sub-registrars, which has bee sanctioned by the Secretary of State, and the introduction, as a tentativ measure, in a few selected districts, of a system of district registrars on the lines followed in Madras, by which district officers will b relieved of all legal and routine duties connected with registration Another item which has often been the subject of attention in this Counci is that of the pay of munsifs. The Governor in Council has recently published a Resolution on this subject in connection with the report of th Public Service Commission, and it seems probable that during the coming year effect will be given, at any rate, in part, to the revision of the pay o these officers. A provision of Rs. 1,25,000 has been made on this account Under the Scientific and Miscellaneous head, funds have been set apart fo the Director of Industries, the Director of Civil Supplies and their staff, whil a sum of Rs. 78,400 has been allotted for the completion of the research tannery together with its establishment, in addition to a lump provision of Rs. 2,50,00 for the development of industries, with a view to give immediate effect, a far as possible, to the recommendations of the Indian Industrial Commis sion. The estimate of Police expenditure is some Rs. 1½ lakh los than the budget provision of the current year. The reduction is du mainly to two causes. In the first place no allotment has been made fo capital expenditure in connection with the reorganization of the subordinat police. Expenditure on this account has been shown in recent years unde the head Police so long as the assignment for the purpose made by the Gov ernment of India remained unexhausted. That assignment having now bee expended, further provision, will in future, be made under the Civil Work head. Secondly, large probable savings have been deducted in the light o the expenditure incurred by the department in recent years. While provisio has been made for normal development, and for the furtherance of th schemes for raising the pay of head constables and the proportion of th ordinary reserve, the only new schemes of importance are (1) revision of th rates of pay of Imperial Police officers recently sanctioned by the Secretary o State, (2) the reorganisation and extension of the traffic police, Calcutta—a measure necessitated by the growth of the city and the general extension o motor traffic, (3) additional staff in connection with the Public Vehicles Department—a consequence of the transfer from the Corporation of Calcutt to the Calcutta police of the control of hackney carriages, etc. (this it may b noted will be largely met by receipts), (4) the raising of the strength of th Dacca military police battalion by the addition of one company, and (5) th improvement of pay and prospects of European inspectors and sergeants o the Calcutta police in order to facilitate recruitment to make up the full complement. The large increase under Ports and Pilotage is mainly due t

the system of guaranteed remuneration to pilots, and to meet charges for the reorganization of the various shipping offices, provision for freight charges and for the purchase of marine stores. The provision for Education also shows a decrease of about Rs. 5 lakhs as compared with the current year. This reduction is more apparent than real, and is due to large deductions made on account of probable savings The department has been unable to spend in full the annual grants made to them by the Government of India, and in the case of several schemes it does not appear probable that sanction will be accorded, and expenditure incurred, during the coming year. A provision of Rs. 15 lakhs has been made, in accordance with the instructions of the Government of India for expenditure on schemes arising out of the report of the Calcutta University Commission, but as it is not anticipated that such expenditure will be of any considerable amount in 1919-20, a sum of Rs. 12 lakhs has been set off as probable savings against this item. The allotment for grant-in-aid has been increased by Rs. 1 lakh to meet a capital grant to the Calcutta Girls' High School and a provision of Rs. 1,55,000 has been made for the completion of the scheme for the improvement of the sewerage and drainage of the Sibpur Civil Engineering College. Other educational allotments of importance are those of Rs. 30,000 for the furtherance of the scheme of madrassa reforms, and Rs. 24,000 for the appointment of additional inspectresses of schools. Details as to the distribution of the Imperial grant of Rs. 5,50,000 for the development of primary education, are given in paragraph 28 in Part II of this memorandum. The increase under Medical is mainly due to a provision of Rs. 1,50,000 for raising the emoluments of the officers of the Indian Medical Service. Owing to the unfavourable agricultural conditions prevailing in certain parts of the Presidency a provision of Rs. 2 lakhs has been made under "33—Famine Relief" for expenditure on relief measures. Of this sum only Rs. 50,000 is debitable to Provincial revenues and the balance to Imperial revenues. In the Civil Works budget, there is provision to the extent of Rs. 31,20,000 for new works including minor works, details of which are given in Part II of this memorandum, while the usual necessary allotment has been made for works in progress, repairs and establishment. The allotment for works in progress and repairs is considerably higher than that of recent years, as it includes provision for the works in progress in connection with the partition of the districts of Midnapore and Mymensingh and the police reorganization schemes, and allows for the expenditure necessary to effect repairs neglected while the financial situation was adverse.

Large reductions appear under Jails and Scientific and other Miscellaneous Departments. The smaller provision under the former is due to a reduction in the estimate for the purchase of raw material, and under the latter mainly to the absence of any provision for the purchase of quinine from private firms.

The closing balance has been placed at Rs. 3,23.23,000. Of this Rs. 20 lakhs represents the prescribed minimum closing balance of the Province, which must be kept intact, while Rs. 2,21.27,000 represents the unspent balances of Imperial recurring and non-recurring grants, or sums which are ear-marked for specific purposes as detailed below, and which must be spent on those objects. The free Provincial balance therefore amounts to Rs. 81,96,000 which may be spent in future years :—

		Rs.
Balance of Imperial grants for Education	...	1,17,04,000
Ditto ditto Medical purposes		4,30,000
Ditto ditto Sanitation	...	60,98,000
Ranchi lunatic asylum ...	...	14,95,000
Amount ear-marked for Provincial equipment	...	24,00,000
Total	...	2,21,27,000
Minimum closing balance ...	...	20,00,000
Total	...	2,41.27,000
Available free balance ...	..	81,96,000
Total	...	3,23,23,000

The 12th March 1919. H. WHEELER.

PART II.

The references in the margin are to the pages of the Civil Budget Estimate

1 and 3—Land Revenue.

Page 6

Revenue.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
SHARED.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Ordinary revenue-fixed collections ..	2,27,72,077	2,24,85,688	2,24,42,108	2,25,50,000	2,26,70,000	2,25,00,000
Sale of Government estates	1,96,703	1,475	53,400	3,000	1,000	5,000
Sale-proceeds of waste lands, etc. ...	62,721	83,815	51,731	60,000	33,000	50,000
Assessment of alienated lands—fees less quit-rents	69,172	68,618	67,427	68,000	68,000	68,000
Recoveries on account of survey and settlement charges ...	13,698	10,603	7,050	6,000	6,000	10,000
Rents, etc., of fisheries ...	870	2,019	4,773	6,000	3,000	7,000
Miscellaneous ...	1,72,728	1,97,300	1,64,602	2,00,000	2,19,000	2,00,000
Total shared ...	2,32,87,969	2,28,49,518	2,27,91,091	2,28,93,000	2,30,00,000	2,28,40,000
Provincial share (one-half)	1,16,43,984	1,14,24,759	1,13,95,545	1,14,47,000	1,15,00,000	1,14,20,000
Ordinary revenue collections from Government estates	49,17,591	50,76,709	47,04,247	51,00,000	51,00,000	52,00,000
Recovery of cost of maintenance of boundary pillars	240	992	20,088	1,000	21,000	1,000
Total ...	1 65,61,815	1,65,02,460	1,61,19,880	1,65,48,000	1,66 21,000	1,66,21,000

Page 22

Expenditure.

	Actuals.			Budget estimate, 1918-19.	Revised estimate 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Survey and settlement ...	86,747	1,04,256	89,903	1,15,000	1,14,000	2,10,000
Charges of district administration ...	28,62,579	28,71,098	27,75,970	28,10,000	28,04,000	28,89,000
Management of Government estates ...	4,39,200	4,39,845	5,54,531	6,20,000	5,09,000	6,25,000
Charges on account of Land Revenue collections ...	17,369	14,881	9,400	14,000	27,000	14,000
Land records ...	70,801	62,401	64,222	69,000	64,000	76,000
Total ...	34,76,687	34,92,481	34,94,026	36,28,000	35,18,000	38,14,000

Page 6.

REVENUE.

1. The Provincial share of this head of revenue is one-half, except for receipts from Government estates and from recovery of the cost of maintenance of boundary pillars, which are wholly provincial.

The budget estimate for the current year was fixed at Rs. 1,65,48,000, but on the basis of the latest actuals the revised estimate for the current year has been placed at Rs. 1,66,21,000. The increase of Rs. 73,000 in the revised estimate as compared with the sanctioned estimate, is mainly under the head—"Ordinary revenue—fixed collections" due to better collection of arrears in the earlier part of the year and under "Recovery of the cost of maintenance of boundary pillars". The sanctioned estimate under the latter

head is only Rs. 1,000, but the revised estimate has been fixed at Rs. 21,000 on the basis of the latest actuals.

On the assumption that agricultural conditions next year will, on the whole, be normal, the estimate for the year 1919-20 has been fixed at Rs. 1,66.21,000 which is the same as the revised estimate for the current year.

EXPENDITURE.

2. The total provincial expenditure for 1919-20 is estimated at Rs. 38,14,000 against the revised estimate of Rs. 35,18,000 for the current year and the sanctioned budget estimate of Rs. 36,28,000 for 1918-19. The large saving in the revised estimate is mainly under the head "Management of Government estates," consequent on the non-utilization of the full provision for outlay on improvements in Government estates. It is also due to the discontinuance of the payment of exchange compensation allowance, and savings under salaries owing to the deputation of additional officers to military duty. Pages 22 and to 35.

As regards the budget estimates for 1919-20 larger provisions under (1) survey and settlement, and (2) charges of district administration account mainly for the increase of Rs. 1,86,000 as compared with the sanctioned estimate for the current year. The large increase under (1) is mainly due to a lump provision of Rs. 57,000 for the initiation of settlement operations in the Darjeeling Terai (Rs. 32,000) and Kalimpong Government estates (Rs. 25,000), and to increased provision for minor settlements. The main reason for the increase under (2) is the inclusion of a provision of Rs. 1,25,000 for the appointment of circle officers against a provision of Rs. 25,000 in the current year's budget for the same purpose. The war bonus recently sanctioned for menials also contributes towards the increase. Under management of Government estates, the estimate includes a lump provision of Rs. 25,000 for the settlement of waste lands in the Sunderbans, of the 24-Parganas, under the raiyatwari system, while the small increase under land records is due to larger provision for the revision of land registration registers and to the increase in the pay of menials recently sanctioned.

IV and 6—Stamps.

Revenue.

Page 7.

—	Actuals. 1915-16.	Actuals. 1916-17.	Actuals. 1917-18.	Budget estimate, 1918-19	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	Rs.	Rs	Rs.	Rs.	Rs.	Rs.
Sale of general stamps ...	62,96,051	7-,89,758	63,78,549	64,00,000	73,00,000	81,00,000
Sale of court-fee stamps	1,54,15,690	1.63,53,246	1,61,90,369	1,70,50,000	1,68,50,000	1,67,00,000
Sale of plain paper to be used with court-fee stamps	3,22,885	3,53,696	3,46,214	3,55,000	3,45,000	3,60,000
Duty on impressing documents	2,65,904	2,53,262	2,59,598	2,40,000	2,74,000	2,85,000
Fines and penalties ...	36,631	38,239	36,195	40,000	30,000	40,000
Miscellaneous ...	1 00,179	63,769	905	15,000	1,000	15,000
Total ...	2.24.37,340	2,41,51,970	2,32,11,830	2.41,00,000	2,48,00,000	2,55,00,000
Provincial share (one half).	1,12.18,670	1,20,75,985	1,16,05,915	1,20,50,000	1,24,00,000	1,27,50,000

* This head is not open to discussion.

Expenditure.

Page 86.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Superintendence	26,216	30,061	26,773	32,000	26,000	31,000
Charges for the sale of general stamps.	2,20,128	2,41,236	1,96,131	2,42,000	1,90,000	2,10,000
Charges on sale of court-fee stamps.	1,15,289	1,25,970	1,27,198	1,40,000	1,24,000	1,35,000
Discount on plain paper ...	20,093	22,187	21,627	23,000	21,000	23,000
Stamp and plain paper supplied from Central Stores ...	2,00,984	2,06,917	2,58,468	3,00,000	2,70,000	2,84,000
Total ...	5,82,710	6,26,371	6,30,197	7,37,000	6,31,000	6,83,000
Provincial share (one-half) ...	2,91,355	3,13,186	3,15,099	3,69,000	3,16,000	3,42,000

REVENUE.

Page 7.

3. The receipts represent the share, credited to this major head, of th sale-proceeds of the unified postal and revenue stamps, the sale-proceeds bills of exchange and other general stamps, and of stamped papers for th copies of documents, court-fee stamps and plain papers, the duty on embossin receipt, cheque and other stamps, the duty levied under the Indian Stam Act, 1899, on documents brought for adjudication and on documents un stamped or insufficiently stamped, and fines and penalties levied by Judicia and Revenue officers under the Stamp Act on insufficiently stamped instru ments. The revenue from the unified postal and revenue stamps is credite to the imperial head "Post Office", but a sum of Rs. 1,99,000 is credite under the sub-head "Sale of general stamps", as the Civil Department shar of the sale-proceeds of these stamps.

The actuals of 1917-18 amounted to Rs. 2,32,12,000, but the collection up to the end of December 1918 show an increase of Rs. 9,30,000 a compared with the corresponding period of the last year. The increase i mainly under the head "Sale of general stamps", and is partly due to improve prosperity in certain trades in the earlier part of the year in Calcutta, an partly to the execution of a greater number of documents in the mufassil o account of the high prices of food grains in the latter part of the year. Owin to adverse economic conditions, however, there has been a falling off i litigation. The fall in revenue under the head "Sale of court-fee stamps would have been larger but for the payment of large administration dutie in respect of certain estates as well as a large number of applications fo administration grants in the High Court. With uncertainty as to trade pending the final settlement of war and peace problems, no great increase i the revenue from "Stamps" can safely be anticipated during the next fe months of this year, and the revised estimate for 1918-19 has been placed a Rs. 2,48,00,000.

With the prospect of new industrial development and a revival of trad next year an improvement in the stamp revenue may be confidently hoped fo and allowing for an increase of 7 lakhs over the revised the estimate fo 1919-20 has been fixed at Rs. 2,55,00,000. The provincial share is one-hal and amounts to Rs. 1,24,00,000 for 1918-19, and Rs. 1,27,50,000 for 1919-20.

EXPENDITURE.

Page 86.

4. The estimate for 1918-19 was Rs. 7,37,000, but this has been reduce to Rs. 6,31,000 in the revised estimate owing partly to a fall in the cor sumption of plain paper, resulting in smaller charges under "Stamps an plain paper supplied from Central Stores", and partly to less expendi ture under "Discount on sale of other general stamps," and "Charges o sale of court-fee stamps". The saving under the last named head is du to a falling off in litigation resulting in a fall in revenue, as alread explained. The small saving under "Superintendence" is mainly unde

the head "Establishment" and is due to the Superintendent of the Stamp office having been transferred to the Income-tax office, no one being appointed to fill his post.

The budget estimate for 1919-20 has been fixed at Rs. 6,83,000, and includes larger provision as compared with the revised estimate for discount on the sale of stamps and a larger issue of stamp papers. The charges of this department are divided equally between imperial and provincial revenues, and the provincial shares amount to Rs. 3,16,000 and Rs. 3,42,000, respectively.

V and 7—Excise.

Revenue.

Page 8.

—	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
License and distillery fees and duties for the sale of liquors and drugs	1,16,29,665	1,12,21,403	1,26,44,627	1,26,30,000	1,46,50,000	1,53,00,000
Gain on sale-proceeds of excise opium and other drugs ...	16,42,213	13,27,533	12,94,317	15,80,000	15,30,000	17,30,000
Duty on ganja	18,14,514	18,35,037	16,37,465	17,40,000	15,50,000	16,00,000
Fines, confiscations and miscellaneous	53,682	60,256	59,813	50,000	70,000	70,000
Total ...	1,51,40,074	1,44,44,229	1,56,36,222	1,60,00,000	1,78,00,000	1,87,00,000

Expenditure.

Page 36.

—	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Superintendence	1,20,855	1,28,854	1,48,966	1,63,000	1,56,000	1,65,000
Presidency establishment ...	1,25,497	1,93,575	1,82,828	1,92,000	2,10,000	1,99,000
District executive establishment	5,40,114	6,08,819	6,28,157	6,63,000	6,56,000	6,80,000
Distilleries	1,88,392	2,08,245	2,39,710	2,67,000	2,25,000	2,93,000
Deduct—Fixed share chargeable to "5—Salt."	2,00,000	2,00,000	2,00,000	2,00,000	2,00,000	2,00,000
Total ...	7,74,858	9,39,493	9,99,661	10,85,000	10,47,000	11,37,000

REVENUE.

5. The actuals of 1917-18 amounted to Rs. 1,56,36,000, and those in the first nine months of the current year show an increase of Rs. 14,84,000 as compared with the actuals of the corresponding period of the preceding year; the revised estimate for the current year has therefore been fixed at Rs. 1,78,00,000. The rise in revenue is mainly due to an increase in the consumption of country spirit in Calcutta and the adjoining districts of Hooghly, Howrah and the 24-Parganas; the total consumption for the first nine months of the year in this part of the Presidency has risen from 263,582 proof gallons in 1917-18 to 327,585 proof gallons in 1918-19. This increase is Page 8.

the result of the extension to the industrial areas round Calcutta, wi effect from 1st April 1918, of the restrictive measures of fixed prices a the monthly adjustment of license fees which obtains in Calcutta. The has also been an increase in revenue from the duty on Indian-made forei liquor and a rise in the opium receipts due to the higher treasury price opium.

With the cessation of hostilities the probabilities are that there will be further increase in the consumption of excisable articles, bringing in larg receipts in license fees and duty. The budget estimate for 1919-20 h therefore been fixed at Rs. 1,87,00,000.

EXPENDITURE.

Pages 36 to 41.

6. The total expenditure for 1918-19 was originally estimated Rs. 10,85,000, but in view of the actuals of the first nine months, the revise estimate for the current year has been placed at Rs. 10,47,000, savin being anticipated mainly in salaries under "Superintendence," a "Presidency Establishment" and in the estimates for establishment a contingencies under "Distilleries."

The estimate for the coming year has been framed at Rs. 11,37,00 Besides allowing a larger provision of Rs. 29,000 for travelling allowan of officers and establishment under "District Executive Establishment based on recent actuals, the estimate includes Rs. 2,460 for the appointme of a prosecutor in Excise and Salt cases, Calcutta, Rs. 2,520 for the entertai ment of additional establishment in the areas in which the tree tax syste has been introduced, and Rs. 2,880 for the employment of female Exci preventive officers to detect smuggling of excisable articles by wom employed by smugglers.

VI.—Provincial Rates.

Revenue.

Page 8.

—	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimat 1919-20
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Public Works Cess ...	1,27,682	29,219	3,675	...	...	...
General rates for the management of private estates.	1,05,171	1,05,622	1,35,416	1,17,000	1,22,000	1,24,00
Total ...	2,33,853	1,34,841	1,39,091	1,17,000	1,22,000	1,24,00

This head is not open to discussion

REVENUE.

7. Since the surrender of the Public Works Cess to District Board this head of revenue is now practically confined to the general rates whic are levied from Wards estates so as to cover approximately the cost management (including supervision charges and contributions for pensio and leave allowances) of the staff employed. The variations in the receipt from year to year are due to old estates being released from management b the Court of Wards and new ones being taken up. The increase in th revised estimate for the current year is due to the assumption of charg of certain large estates in the districts of Dinajpur, Malda and Mymen singh. The receipts would have been larger but for the release of the shar of Babu N. G. Biswas in the Janbazar Estate No. I and the transfer of th management of the Balasore portion of Babu B. L. Mukerjee's trust estat to the Government of Bihar and Orissa.

VIII and 10—Income-tax.

*Revenue.

Page 9

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Income-tax ...	72,26,611	1,68,55,128	2,07,92,470	2,15,00,000	2,20,00,000	1,77,50,000
Provincial share (one half)	36,13,306	84,27,714	1,03,96,235	1,07,50,000	1,10,00,000	88,75,000

*This head is not open to discussion.

Expenditure.

Page 41.

	Actuals			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs	Rs.	Rs.
Calcutta establishment ...	90,210	98,967	1,09,774	1,16,000	1,21,500	1,39,000
District ditto ...	62,754	63,787	64,398	62,000	64,500	73,000
Total ...	1,52,964	1,62,754	1,74,172	1,78,000	1,86,000	2,12,000
Provincial share (one-half)	76,482	81,377	87,086	89,000	93,000	1,06,000

REVENUE.

8. Considering that several companies, in particular those connected with the jute trade, earned profits far beyond expectation in the early part of 1917, while others, which had up till then been working at a loss, were able to pay dividends; the estimate for the year 1918-19 was fixed at Rs. 2,15,00,000, against the revised estimate of Rs. 2,11,00,000 for 1917-18. The nine months' actuals, however, show that the actual receipts are likely to exceed the estimate for 1918-19 by Rs. 5 lakhs. The profits of the jute industry have been still better this year, while there has been increased prosperity in certain mercantile trades, and taking into consideration as against this, the state of the cotton piece-goods trade, the exemption of all incomes below Rs. 2,000 per annum from assessment to income-tax with effect from the 1st April next, and the rebate that shall have to be given for the purpose of the income-tax, in respect of the amounts paid as excess profits duty, the budget estimate for the next year has been placed at Rs. 88,75,000. As owing to the changes in taxation there will be a loss in the Provincial share of the income-tax otherwise leviable on income below Rs. 2,000 per annum and on that portion of the higher income which will be paid to Imperial Government as excess profits duty, an assignment of the amount so lost will be made by the Government of India through the "Transfer Budget". Page 9.

With effect from the 1st of April 1916 the Government of India imposed additional taxation, and that part of the increase which depends on the increased rates is made over to the Government of India by means of an assignment under the transfer head in accordance with their decision to appropriate the whole of the extra receipts from the new rates to the needs of the Imperial Exchequer. Excluding, therefore, the full increment due to new taxation, the revenue from income-tax is shared equally between Imperial and Provincial. No part of the super-tax on incomes imposed under Act VIII of 1917 and the duty on excess profits proposed to be imposed from 1st April next are included under this divided head, as the proceeds are wholly Imperial. Pages 41 to

EXPENDITURE.

9. The amount provided for 1919-20 is higher by Rs. 34,000 than this year's allotment and higher by Rs. 26,000 than the revised estimate. The

increase in expenditure is due partly to an enhancement in the pay of th Deputy Collector of Income-tax, but mainly to the revision of the strengt and pay of the assessors employed in Calcutta, to the revision of the clerica staff of the Calcutta Income-tax office, and to the appointment of additiona assessors and establishment in the Rajshahi Division, necessitated by th large increase in work consequent on the introduction of the new Income-ta Act, VII of 1918. The Provincial share is one-half, and amounts to Rs. 93,00 and Rs. 1,06,000, respectively.

IX and 11—Forests.

Revenue.

Page 9.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Timber and other produce removed from the forests by Government agency ...	2,328	15,557	22,280	1,66,200	3,17,000	60,000
Timber and other produce removed from the forests by consumers or purchasers ...	10,85,354	12,53,903	12,88,333	13,61,000	14,00,000	14,84,000
Confiscated drift and waif wood	6,940	10,906	9,649	11,500	10,000	11,000
Miscellaneous	50,988	58,413	56,708	61,300	73,000	75,000
Total ...	11,45,610	13,38,779	13,76,970	16,00,000	18,00,000	16,30,000

Expenditure.

Page 43.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs	Rs.	Rs.	Rs.	Rs.	Rs
Conservancy and Works ...	2,36,698	2,49,992	3,58,840	3,75,000	4 57,000	3,73,000
Establishments	3,56,937	3,69,657	3,79,873	3,75,000	3,73,000	3,93,000
Total ...	5,93,635	6,19,649	7,38,713	7,50,000	8,30,000	7,66,000

REVENUE.

Page 9.

10. Assuming that the demand of the Munitions Board for sleepers and timber for war purposes would be larger this year, the estimate for 1918-19 was fixed at Rs. 16,00,000 against the revised estimate of Rs. 15,00,000 for 1917-18. The demands of the Munitions Board for timber and of the Railway companies for sleepers have, however, far exceeded expectations, and a large increase in revenue under the head "Timber and other produce removed from the forests by Government agency" is therefore expected. The increase under this head is also due to the adjustment this year of the cost of timber and sleepers supplied to the Munitions Board at the end of last year. Considering this and the fact that there has also been an increase in the demand for timber by consumers and purchasers, the revised estimate for the current year has been fixed at Rs. 18,00,000.

Owing to the cessation of hostilities the demand for timber and sleepers for military purposes, will not continue next year, but following the end of the war, it is expected that there will be larger demands for all kinds of raw material from consumers and purchasers, and on this assumption the budget estimate for the next year has been placed at Rs. 16,30,000.

EXPENDITURE.

Pages 43 and 44.

11. The sanctioned budget for the current year is Rs. 7,50,000 and the revised estimate has been taken at Rs. 8,30,000 to provide for larger

expenditure to meet the demand of the Munitions Board for increased supply of timber and sleepers. This increased outlay, however, it may be pointed out, will be accompanied by increased revenue during the year.

The budget estimate for the ensuing year has been passed for Rs. 7,66,000 which is higher by Rs. 16,000 than the sanctioned estimate of 1918-19, and lower by Rs. 64,000 than the revised estimate for the current year. Under "B—Establishment", besides provision according to the sanctioned scale, with the usual deductions for probable savings, a provision of Rs. 6,000 has been made for the appointment of two extra Assistant Conservators of Forests. The provision for timber operations by Government agency has been reduced, as the amount of business in timber contracts is not likely to equal that done in the current year. Provision has, however, been made for the feed and keep of a larger number of elephants and to meet the increased cost of maintenance of steam launches and flats. The next year's estimate also includes a lump provision of Rs. 24,000 for the purchase of barbed wire and sheep netting for the Buxa and Jalpaiguri divisions, and larger outlay on communications and buildings.

X and 12—Registration.

Revenue.

Page 10.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Fees for registering documents	18,85,499	19,81,536	17,43,720	17,80,000	17,56,000	17,56,000
Fees for copies of registered documents.	70,625	77,763	73,605	80,000	64,000	64,000
Miscellaneous	79,944	89,628	86,702	1,00,000	80,000	80,000
Total ...	20,36,068	21,48,927	19,04,027	19,60,000	19,00,000	19,00,000

Expenditure.

Page 45.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Superintendence	74,457	78,883	79,591	74,000	74,000	74,000
District charges	10,52,871	10,55,887	10,61,448	10,83,000	10,51,000	11,47,000
Total ...	11,27,328	11,34,770	11,41,039	11,57,000	11,25,000	12,21,000

REVENUE.

12. Owing to adverse economic conditions the actual collections in the first nine months of 1918-19 show a falling off of Rs. 1,25,000 as compared with those of the corresponding period of the preceding year, and the revised estimate has, therefore, been placed at Rs. 19,00,000 against the budget estimate of Rs. 19,60,000. As no increase in revenue is expected next year, the estimate for 1919-20 has been fixed also at Rs. 19,00,000. Page 10.

EXPENDITURE.

13. The minor head "Superintendence" comprises charges on account of the Inspector-General of Registration, his office establishment and contingencies, while "District Charges" represent the salary of district sub-registrars and sub-registrars and their establishments and contingent charges. The decrease in the revised estimate for 1918-19 under the head "District sub-registrars and sub-registrars", as compared with the sanctioned estimate Pages 45 to

for the current year is mainly due to savings under "Salaries" and "Establishment". The savings would have been larger but for the increased rate of pay recently sanctioned for menials.

The budget estimate for 1919-20 is higher by Rs. 64,000 than the sanctioned estimate for 1918-19. The increase is mainly due to a lump provision of Rs. 48,000 for a partial revision of the pay of the ministerial establishmen of district headquarters and rural registration offices, and to larger provisio for the opening of new sub-registry offices. A provision of Rs. 11,000 ha also been made for the revision of the cadre of district sub-registrars whic has received the sanction of the Secretary of State, and the introduction, a a tentative measure, of a system of district registrars on the lines followe in Madras.

1.—Refunds and Drawbacks.*

Expenditure.

Page 21.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20
	1915-16	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs	Rs
Land Revenue	17,071	30,444	15,319	20,000	20,000	20,000
Stamps	85,473	90,064	1,00,578	90,000	83,000	90,000
Excise	65,127	97,713	75,696	55,000	67,000	75,000
Income-tax	10,611	47,448	44,580	40,000	80,000	85,000
Forest	648	280	2,750	1,000	2,000	1,000
Provincial rates	−276	140	588	1,000	1,000	...
Registration	2,717	2,273	3,510	2,000	4 000	3,000
Total ...	1,81,371	2,68,362	2,43,021	2,09,000	2,57,000	2,74,000

* Drawbacks occur under Customs only and are wholly Imperial

EXPENDITURE.

14. The amounts shown above represents the debits to Provincial funds of the expenditure under refunds in proportion to the Provincial shares of the revenues under the respective heads in connection with which refunds are made. The charges under the head are of a fluctuating character and are not subject to any departmental control. Owing to the new procedure prescribed in the new Indian Income-tax Act, VII of 1918, in accordance with which income-tax is levied, in the first instance, at one anna in the rupee on the total profits of companies and owners of securities, refunds being subsequently allowed to individual share-holders or stock-holders, the amount paid in income-tax refunds has nearly doubled during the current year. The budget estimate for 1919-20 makes sufficient allowance for this.

2.—Assignments and Compensations.

Page 21

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19	Budget estimate. 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Land revenue compensation ...	71	19	...	6	...	6
Pension in lieu of resumed lands	1,048	825	904	1,000	1,000	1,000
Malikana	28,911	53,851	59,271	45,000	37,000	48,000
Excise	...	...	16,224	97,346	1,00,000	1,01,340
For rounding ...	...	...	...	−346	...	−346
Total ...	30,030	54,695	76,399	1,43,000	1,38,000	1,50,000

This head is not open to discussion

EXPENDITURE.

15. The minor heads under this major head are treated as wholly Imperial, wholly Provincial, or divided between Imperial and Provincial, according to the classification of the corresponding heads of revenue, but purely Imperial minor heads which are not under the financial control of the Government of Bengal are not shown in the above statement. The charges consist chiefly of pensions paid to landholders as compensation for lands resumed by Government, malikana allowances and other special compensations. Excise compensations represent mainly the compensation paid by Government in lieu of abkari rights which have been resumed in Native States. The main items under this head are an annual payment to the Bhutan Darbar of a sum of Rs. 97,340 as compensation for the removal of liquor shops from the borders of the State, and of Rs. 4,000 to the Cooch Behar State for the transfer to Government of the excise administration of certain isolated areas belonging to the State.

XII and 13—Interest.

Revenue. Page 11.

—	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19	Budget Estimate, 1919-20
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs
Interest on Provincial loans and advances.	4,40,400	6,23,113	6,69,685	5,41,400	5,16,100	5,13,200
Interest on Government securities	12,290	12,281	12,281	12,300	12,000	12,300
Miscellaneous	10 861	13,648	7,825	1,600	7,000	7,300
For rounding ...	...	...	...	—300	—100	+200
Total ...	4,63,551	6,49,042	6,89,791	5,55,000	5,35,000	5,33,000

Expenditure. Page 47.

—	Actuals			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget Estimate, 1919-20
	1915-16	1916-17.	1917-18			
	Rs.	Rs.	Rs.	Rs	Rs.	Rs.
Interest on Provincial advance and loan accounts.	4,76,626	5,01,745	4,72,123	4,53,000	4,42,000	4,47,000

This head is not open to discussion.

REVENUE. Page 11.

16. The revenue represents mainly the interest received by the local Government on advances and loans made from the Provincial advance and loan account. This account, the capital transactions of which are outside the budget figures, provides for the grant of loans to agriculturists, local bodies, etc. The monies required for the loans are furnished by the Government of India. The local Government pay interest thereon and bear losses due to bad debts. In order to cover risks and cost of management, the local Government charge a higher rate of interest than that which they have to pay to the Imperial Government. The revenue under this head also includes interest on Government securities belonging to institutions taken over by Government along with the endowments for the upkeep of such institutions, and also interest on advances to ex-students of weaving institutions. In spite of the enhancements, which are noticed below, of the rates of interest charged by the Government of India to this Government, no change has at present been made in the rate charged by this Government for loans to agriculturists. The rate of interest charged on loans to local bodies made after the enhanced rates came into force has, however, been raised to 6 per cent.

The estimate of loans, as submitted to the Government of India, pr vides for a return in the way of interest during 1919-20 of Rs. 5,33,0 against Rs. 5,35,000, the revised estimate for 1918-19, as shown below :—

	Revised estimate, 1918-19	Budget estimate, 1919-20
	Rs.	Rs.
Interest on advances to cultivators, etc.	61,000	65,000
Interest on advances to co-operative societies	900	1,000
Interest on drainage and embankment advances	18,000	16,000
Interest on loans to landholders ...	1,68,000	1,54,000
Interest on loans to municipalities and district boards, etc.	2,68,000	2,77,000
Interest on advances to ex-students of the Weaving Institute	200	200
Interest on Government securities ...	12,000	12,300
Miscellaneous	7,000	7,300
For rounding	-100	+200
Total ...	5,35,000	5,33,000

The variations between the revised estimate for 1918-19 and the budg estimate for the ensuing year are small and call for no remarks.

Page 47.

EXPENDITURE.

17. The interest which is paid to the Government of India by the loc Government, on sums placed at the disposal of the latter for advanc and loans to cultivators, co-operative societies, notabilities, municipaliti (excluding Presidency corporations), district boards and ex-students of th Weaving Institute and for advances on drainage and embankment scheme is shown as expenditure under this head, the interest being calculated o the mean between the outstanding balance of the Provincial advance an loan account at the beginning and at the end of each year. The rate o interest charged to the local Government by the Government of India wa until recently, 3½ per cent. per annum, but with effect from the 1st Octobe 1916 this rate was raised to 4½ per cent. in respect of loans sanctioned b them on or after that date, and again to 5½ per cent. in respect of loan sanctioned on or after the 1st April 1917, while loans sanctioned prior to thos dates are charged at the old rate of 3½ per cent.

18.—General Administration.

Page 48.

Expenditure.

	Actuals.			Budget estimate, 1918-19.	Revised estimate. 1918-19.	Budget Estimate 1919-20
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Salary of the Governor ...	1,20,000	1,28,387	1,11,613	1,20,000	1,20,000	1,20,000
Sumptuary allowance of the Governor	...	32,097	27,903	30,000	30,000	30,000
Expenditure from contract allowance	68,528	78,639	72,826	73,000	73,000	73,000
Staff and household of the Governor	2,88,767	2,94,880	3,07,702	3,24,000	3,18,000	3,22,000
Tour expenses	53,843	62,874	68,000	65,000	70,000	1,10,000
Executive Council	2,23,978	2,24,233	2,38,275	2,25,000	2,03,000	2,27,000
Legislative Council ...	1,11,589	1,13,749	1,30,302	1,40,000	1,30,000	1,41,000
Civil Secretariat	8,66,398	9,11,024	9,59,096	9,55,000	9,98,000	9,49,000
Board of Revenue ...	1,51,263	1,12,662	1,23,134	1,28,000	1,19,000	1,26,000
Commissioners	3,95,079	4,07,930	4,13,110	3,94,000	4,16,000	3,93,000
Civil offices of Account and Audit	1,09,442	1,15,705	1,31,980	1,34,000	1,34,000	1,47,000
Total ...	23,88,887	24,82,180	25,83,941	25,88,000	26,11,000	26,38,000

EXPENDITURE.

18. The estimate for 1918-19 was fixed at Rs. 25,88,000, but considering the actuals of the first nine months of the current year, the revised estimate has been fixed at Rs. 26,11,000. The excesses occur mainly under the heads "Civil Secretariat" and "Commissioners". The increase under the former head is partly under the head "Salaries" due to the appointment of special officers to carry out special work which could not be foreseen when the budget was framed, and partly under establishment and contingencies consequent on the large increase in work caused by the war. The increase under the latter head is mainly under "Salaries and Establishment". The excesses would have been larger but for savings under "Staff and household of the Governor" owing to the non-utilization in full of the allotments for band and bodyguard establishments. Pages 48 to

Against the actuals of Rs. 25,84,000 in 1917-18 and the sanctioned estimate of Rs. 25,88,000 for the current year, the budget estimate for next year has been fixed at Rs. 26,38,000. The increase is mainly due to a provision of Rs. 12,000 for the revision of the establishment of the Outside Audit Department of the Accountant-General's office, for which this Government will be fully reimbursed by the Government of India by an assignment through the transfer head, and to a provision of Rs. 35,000 for the construction of a new metre-gauge bogie saloon for the use of His Excellency the Governor. The war bonus recently sanctioned for menials also contributes towards the increase. Otherwise the usual provision has been made for officers on special duty and for temporary establishment, and the next year's estimates generally follow the sanctioned estimates for the current year.

XVIA and 19A—Law and Justice—Courts of Law.

Revenue. Page 12

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs	Rs	Rs.	Rs	Rs.	Rs
Sale-proceeds of unclaimed and escheated property ...	22,546	21,617	35,376	38,000	30,000	35,000
Court-fees realized in cash ...	82,045	1,06,277	97,206	1,10,000	86,000	1,00,000
General fees, fines and forfeitures	6,75,747	7,35,415	8,22,642	8,50,000	7,66,000	8,20,000
Pleadership examination fees ...	22,850	22,905	22,248	25,000	23,000	23,000
Miscellaneous fees and fines ...	5,686	3,813	1,14,275	1,70,000	1,35,000	1,80,000
Miscellaneous	35,125	28,359	30,453	39,000	27,000	30,000
Total ...	8,43,999	9,21,386	11,22,200	12,23,000	10,67,000	11,88,000

Receipts from court-fees and fines are not open to discussion

Expenditure. Page 61

	Actuals			Budget Estimate, 1918-19	Revised estimate, 1918-19	Budget estimate, 1919-20.
	1915-16.	1916-17	1917-18.			
	Rs	Rs	Rs.	Rs.	Rs.	Rs.
High Court	16,79,724	14,16,577	14,65,450	15,62,000	14,36,000	14,91,000
Law officers	9,36,455	7,61,480	6,89,495	7,93,000	9,36,000	7,39,000
Administrator-General and Official Trustee	...	...	46,373	1,08,000	1,11,000	1,26,000
Coroner's Court	7,828	7,922	7,910	8,000	8,000	8,000
Presidency Magistrates' Courts ...	1,60,496	1,69,906	1,40,256	1,54,000	1,55,000	1,52,000
Civil and Sessions Court ...	48,45,729	48,36,172	49,20,046	48,83,000	51,10,000	51,60,000
Courts of Small Causes ...	2,47,786	2,58,498	2,70,080	2,67,000	2,54,000	2,86,000
Criminal Courts	23,48,004	23,92,202	23,87,890	23,20,000	23,26,000	23,90,000
Pleadership examination charges	13,357	13,240	11,942	13,000	12,000	13,000
Refunds	71,731	64,190	69,262	67,000	72,000	70,000
Total ...	1,03,11,110	99,20,187	1,00,08,704	1,01,75,000	1,04,26,000	1,04,35,000

REVENUE.

Page 12.

19. The principal source of revenue is "General fees, fines and forfeitures". The revenue under this head is, however, liable to fluctuation as it depends largely on the amount of judicial fines inflicted. The total collections under the major head in 1917-18 amounted to Rs. 11,22,000 and taking into account the fees and commissions that would be realized by the Administrator-General and Official Trustee, the estimate for this year was fixed at Rs. 12,23,000. The actuals, however, indicate that the sanctioned estimate is not likely to be realized and the revised estimate for 1918-19 has therefore been passed for Rs. 10,67,000. The fall occurs under all the minor heads, but is most marked under the head "Court-fee realized in cash" and under "General fees, fines and forfeitures".

Following the revised estimate and allowing for a small expansion of revenue, the estimate for 1919-20 has been placed at Rs. 11,88,000.

EXPENDITURE.

Pages 61 to 65.

20. *High Court.*—Under this head are shown the salaries of the Judges and officers and establishments of the High Court, and the connected contingent expenditure. The saving in the revised estimate is mainly under "Salaries" owing to the two additional Judges, for whom a provision of Rs. 96,000 exists, not having been appointed; this provision has been appropriated to meet the cost of appointments of additional District and Sessions Judges in several districts. The ensuing year's estimates generally follow the revised estimates of the current year and include the following :—

	Rs.
Provision for an additional Judge at Rs. 1,000 per mensem for four months	16,000
Additional establishment for the reorganization of the record-room on the Appellate side	24,000

Pages 65 to 67.

Law officers.—This minor head comprises the charges on account of the Advocate-General, the Legal Remembrancer, the Government Solicitor, the Standing Counsel, the Public Prosecutor and Government Pleaders in the High Court and in the mufasal. It also includes the fees paid by Government to pleaders in civil and criminal cases and the excess in the revised estimate is mainly under this head. The expenditure being dependent on the number and importance of the cases entrusted to pleaders, the charge is of a fluctuating nature. The decrease in the estimate for 1919-20 as compared with the estimates for 1918-19, is mainly due to less provision under "Fees to pleaders".

Pages 71 and 72.

Civil and Sessions Courts.—To this minor head are debited the charges in connection with the Courts of District and Sessions Judges, Subordinate Judges and Munsifs and process-serving and copyist establishments.

The steady increase in Judicial work necessitated, in several districts, the appointment of additional District Judges, Subordinate Judges and Munsifs to relieve the congestion of work and there is consequently an increase in the revised estimate for the current year. The budget estimate for 1919-20 contains an enhanced provision of Rs. 1,35,000 under "Process-serving establishment", to meet the cost of the war bonus recently sanctioned for menials, and a lump provision of Rs. 1,25,000 for the improvement of the pay of the officers of the Provincial Judicial Service. It also includes a few other schemes involving small expenditure, details of which are given in the schedule attached as an annexure to this memorandum.

Pages 73 and 74

Courts of Small Causes.—The salaries of the Judges and officers of the Presidency and Mufassal courts, their establishment and connected contingent expenditure, are shown under this minor head. The only item of importance in the coming year's estimate is the provision of Rs. 14,72 for the appointment of a 7th Judge in the Calcutta Small Cause Court and his establishment.

Criminal Courts.—Under this minor head the variations in the figures follow the corresponding alterations under the head "3—Land Revenue—Charges of district administration", a portion of which is transferred to this head. Larger provision under "Supplies and Services", and a lump provision of Rs. 1.25,000 for the appointment of circle officers, are the chief causes that have contributed to the increase in the budget estimate for 1919-20. Page 75.

XVIB and 19B—Law and Justice—Jails.

Revenue.

Page 12.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Jails	7,903	1,138	925	2,000	1,000	1,000
Jail manufactures	9,01,245	12,11,902	12,00,788	13,50,000	12,99,000	10,00,000
Total ...	9,09,148	12,13,040	12,01,713	13,52,000	13,00,000	10,01,000

Expenditure.

Page 74.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Jails	17,75,645	19,22,545	19,39,344	19,80,000	21,07,000	20,43,000
Jail manufactures	7,28,698	8,72,291	10,95,214	10,21,000	12,27,000	9,60,000
Refunds	2,274	1,482	571	2,000	2,000	1,000
Total ...	25,06,617	27,96,318	30,35,129	30,03,000	33,36,000	30,04,000

REVENUE.

21. The main source of receipts under the head "Law and Justice—Jails", is the sale-proceeds of articles manufactured in jails and supplied to the public and public departments. The revenue also includes the sale-proceeds of quinine packets. The fall in the revised estimate is mainly due to the Commissariat Department having ceased to indent for their supply of gunny cloth in the jails of this Presidency. The receipts during the last three years were swelled by the sale-proceeds of articles of jail manufacture to the Military Department, but as no such revenue is expected next year owing to the cessation of hostilities the budget estimate for 1919-20 has been fixed at Rs. 10,01,000. Page 12

EXPENDITURE.

22. Under this head are shown (*a*) the salary of the Inspector-General of Prisons and the cost of his office establishment and contingencies, (*b*) the expenditure connected with the staff employed in the supervision of jails, (*c*) the charges for the maintenance of convicts, and (*d*) the cost of the purchase of raw materials for jail manufactures. The items (*c*) and (*d*) are fluctuating, being dependent on the strength of the jail population and on demands for jail manufactures. Variations in the price of food-grains, and outbreaks of epidemic diseases in jails, also affect the charges for maintenance of prisoners.

Jails.—Owing to the rise in the price of food-grains, cotton clothing, blankets, and medicines and other hospital equipment, which has been accompanied by an increase in the number of prisoners, the revised estimate for 1918-19 has been placed at Rs. 21,07,000 on the basis of recent actuals. In Pages 74 to 8

the hope that economic conditions will be better next year, and that the price of clothing, blankets, and medicine may gradually come down more nearly to tl rates which prevailed in pre-war times, the ensuing year's estimate has bee fixed at Rs. 20,43,000. The only noticeable item in the estimate for 1919-2 is the provision for the opening of a new sub-jail at Sherpur in the Mymen singh district.

Pages 85 and 86. *Jail manufactures.*—The increase in the revised estimate for tl current year as compared with the sanctioned estimate for 1918-19, is maini due to the rise in the price of cotton, woollen yarn and other raw materia used by the jails. The enhancement in the cost of European stores an freight charges due to the war and larger demands for police uniforms al contribute to some extent to the increase. Owing to the cessation of host lities it is hoped that there will be some diminution in the price of ra materials, and on this assumption the budget estimate for 1919-20 has bee fixed at Rs. 9,60,000. The next year's estimate includes a provision Rs. 2,400 for the establishment of a central depôt, in the Juvenile Jail, f the distribution of quinine.

XVII and 20—Police.

Page 13. **Revenue.**

	Actuals.			Budget estimate, 1918-19	Revised estimate, 1918-19	Budget estimat 1919-20
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs	Rs.	Rs	Rs	Rs
Cash receipts under the Arms Act.	724	809	347	1,000	200	50
Police supplied to public departments, private companies and persons.	23,115	24,937	21,323	25,000	19,000	23,000
Presidency police ...	1,24,496	1,17,109	1,21,495	1,17,000	1,29,000	1,62,000
Recoveries on account of village police.	267	279	321	300	300	50
Fees, fines and forfeitures ...	14,599	14,727	17,914	14,700	22,000	22,000
Miscellaneous ...	16,662	15,145	20,446	18,000	79,000	23,000
Superannuation receipts ...	...	24	3	...	...	...
Police supplied to municipalities, cantonments and town funds.	11,003	10,603	5,365	11,000	4,500	6,000
Total ...	1,90,866	1,83,633	1,87,154	1,87,000	2,54,000	2,37,000

Page 87. **Expenditure.**

	Actuals.			Budget estimate, 1918-19	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17	1917-18.			
	Rs.	Rs.	Rs	Rs.	Rs.	Rs
Presidency police ...	18,25,337	19,61,039	21,14,749	22,13,000	21,53,000	22,77,000
Superintendence ...	3,05,727	3,46,816	4,04,646	3,26,000	3,21,000	3,23,000
District Executive force	74,71,950	77,99,845	85,38,077	96,58,000	89,19,000	93,22,000
Village police ...	17,844	13,290	7,121	13,000	7,000	10,000
Special police ...	3,13,481	3,12,625	3,24,858	3,29,000	3,32,000	3,73,000
Railway police ...	3,67,128	3,56,867	3,68,621	3,66,000	3,49,000	3,64,000
Criminal Investigation Department	5,97,591	8,64,188	8,52,427	8,77,000	9,61,000	9,48,000
Cattle pounds ...	157	225	216	600	200	300
Refunds ...	4,568	2,388	2,572	3,000	2,800	3,700
For rounding ...	...	...	...	—600	...	...
Total ...	1,09,03,783	1,16,57,283	1,26,13,287	1,37,85,000	1,30,45,000	1,36,21,000

REVENUE.

Pages 13 an

23. The receipts under this head consist mainly of (*a*) fees and fines levied under the Cattle Trespass Act, (*b*) the recovery of the cost of Police supplied to public departments, private companies and persons and (*c*) fees levied under the Motor Cycles Act. The increase in the revised estimate for the current year as compared with the sanctioned estimate for 1918-19 is mainly due to the credit of a sum of Rs. 57,000 under this head, being the amount realized from the Military Department in payment for the steam launches commandeered by them for military purposes. With the passing of the Calcutta Hackney Carriage Act the control of vehicular traffic in Calcutta will now devolve on the Presidency Police. The budget estimate for 1919-20, therefore, includes an income of Rs. 30,000 from fees and fines leviable under the Act.

EXPENDITURE.

Pages 87 to

24. *Presidency Police.*—The sanctioned estimate for 1918-19 under this head was Rs. 22,13,000, but in view of the actuals of the first nine months, this has been reduced to Rs. 21,53,000 in the revised estimate for the current year. The decrease is mainly due to savings under "Police force" and to the non-utilization in full of the provision for river patrol arrangement, owing to the steam launch "John Lambert", which was being constructed in the dockyard for the purpose, having been commandeered by the military authorities for war purposes.

The budget estimate for the coming year which has been fixed at Rs. 22,77,000 includes the following noticeable items :—

	Rs.
For the improvement of pay and prospects of European inspectors and sergeants	50,000
Reorganization and extension of the Indian traffic police	24,550
For the creation of three posts of Assistant Commissioners (Provincial) in lieu of three posts of Superintendents (Provincial) and the substitution of an Imperial Assistant Commissionership for one Provincial Assistant Commissionership	3,220
Additional police staff in connection with the loading and unloading of petroleum from vessels at Budge-Budge	4,401
Additional staff in connection with the Public Vehicles Department	40,000
Purchase of mosquito nets for head-constables and constables	5,000
Construction of a launch to replace the launch "John Lambert"	40,000

Pages 93 to 100.

25. *District Executive Force.*—The salaries of District Superintenden Assistant and Deputy Superintendents and of their establishments, and the c of the District Police Force, and the Provincial police training schools at Sard Dacca and Berhampur are included under this head. The expenditure unc this minor head represents nearly 69 per cent. of the expenditure under t whole major head. The decrease noticeable in the revised estimate is mai due to the transfer of Rs. 5,75,000 to the Public Works Department for n works and works in progress in connection with the reorganization of t subordinate police in Eastern Bengal, but is also due to savings under t police force. A provision of Rs. 1,30,759 was made in the current yea budget in connection with the scheme for raising the proportion of the ordin reserve of head-constables and constables. During the year a proposal w made that this provision should be utilized in the formation of a reserve pol battalion, but this was subsequently abandoned. The recruitment of cons bles in part accomplishment of the original scheme thus began late in the ye and this accounts for a saving of Rs. 25,000 under this head. Four launc which were under construction in the dockyard were to have been deliver to the Police Department early this year, and provision for crew and sto was made for the whole year. Only three launches were delivered, and t not till after September, while one was not delivered at all, and consequen there was a saving of Rs. 22,000 out of the lump provision of Rs. 1,48,596 the reorganization of the river police in Eastern Bengal.

The budget estimate for 1919-20 has been fixed at Rs. 93,22,000 agai the sanctioned estimate of Rs. 96,58,000 for the current year. The la reduction in the next year's estimate is more apparent than real, as is mainly due to large deductions of probable savings on the basis of rece actual expenditure, as well as to the absence of any provision for capi expenditure on buildings in connection with the reorganization of the su ordinate police in Eastern Bengal, the necessary provision for this purp being made in the Public Works Department budget. Besides provi ing for normal development the coming year's estimate provides Rs. 2,50,0 to meet the cost of the revised rates of pay of Imperial Police officers recen sanctioned by the Secretary of State, Rs. 2,17,260 for raising the pay of hea constables, Rs. 1,38,037 for raising the proportion of the ordinary reserve pursuance of the scheme already undertaken, Rs. 11,019 for the entertainme of crews of five thana launches, Rs. 12,126 for raising the number of hea constables in Eastern Bengal to ultimate strength, and Rs. 6,601 for t appointment of additional constables for employment as armourers.

Pages 101 and 102.

Special Police.—Under this minor head are recorded the accounts of t Bengal Military Police, the Frontier Police, Chittagong, and the charges of t Upper Burma Police Depôt. The increase in the ensuing year's estimate compared with the sanctioned and revised estimates of this year, is main due to a provision of Rs. 32,207 for raising the strength of the Dacca Milita Police battalion by the addition of a company, and Rs. 6,570 for the pa ment of allowances to non-commissioned officers and sepoys of the Dac Military Police deputed for guard duty at jails.

Pages 103 and 104.

Railway Police.—This head includes the cost of the supervising st and their establishments and the police force employed in the East India Eastern Bengal Bengal-Nagpur and Assam-Bengal Railways. Except in t case of expenditure in the Eastern Bengal railway, which is wholly met fr Provincial revenues, the line being a State railway, seven-tenths of the tot cost is realized from the railway companies concerned, the recoveries bei shown as deductions from the charges. The budget estimate for 1919-2 provides for normal charges.

Pages 105 and 106.

Criminal Investigation Department.—The large increase in the revis estimate is mainly due to the revision of pay of the ministerial establishment the Criminal Investigation Department, and to the entertainment, as a te porary measure for two years, of three inspectors and 13 sub-inspectors a 19 constables for the surveillance of the registered members of crimin tribes in the districts of 24-Parganas, Midnapore and Bakarganj. The budg estimate for 1919-20 generally follows the revised estimate for the curre year and calls for no remarks.

XVIII and 21—Ports and Pilotage.

Revenue.

Page 14

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sale-proceeds of vessels and stores.	...	...	...	...	100	...
Registration and other fees, Calcutta.	76,189	73,309	70,853	70,000	76,000	72,000
Pilotage receipts, Calcutta ...	11,02,485	10,69,811	8,63,709	8,90,000	11,00,000	11,03,000
Miscellaneous	1 70 888	1,17,844	71,850	70,000	1,33,900	89,000
Total ...	13,49,562	12,60,964	10,06,412	10,30,000	13,10,000	12,64,000

Expenditure.

Page 107

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Purchase and hire of ships and vessels.	...	...	..	...	5,000	...
Salaries and allowances of officers and men afloat.	1,49,534	1,08,884	92,638	1,00,000	1,01,000	1,17,000
Victualling of officers and men afloat.	42,358	27,878	32,829	30,000	34,000	32,000
Purchase of marine stores and coal for the building, repairs, and outfit of ships and vessels.	1,83,470	1,18,336	2,24,249	1,28,000	1,28,000	1,69,000
Pilotage and pilot establishments	6,29,613	5,80,968	5,05,147	5,13,000	5,97,000	6,29,000
Ports and pilotage establishments.	1,23,866	59,038	78,826	74,000	63,000	95,600
Subsidies to Steamer Companies	3,000	3,000	3,000	3,320	3,000	4,500
Miscellaneous	1,88,790	1,86,896	2,10,138	2,10,000	3,02,000	2,30,000
State yacht establishment ...	49,308	27,259	10,817	50,000	11,000	51,000
Refunds	3,124	2,779	2,541	3,800	3,000	3,000
For rounding ...	...	...	...	120	...	-100
Total ...	13,73,063	11,15,029	11,60,185	11,12,000	12,47,000	13,31,000

REVENUE.

Page 14

25. The large increase in the revised estimate as compared with the sanctioned estimate for 1918-19 is partly due to the imposition of surcharge pilotage fees in order to counter-balance the increase in expenditure due to the introduction of the system of guaranteed remuneration to officers of the Pilot service, and partly to the adjustment in the accounts of this year of Rs. 58,413 paid as hire by the Government of India for the pilot vessels "Fraser" and "Lady Fraser". The pilotage surtax, it may be mentioned, was discontinued from the 1st December last, as sufficient revenue had been obtained to meet the extra charges.

Owing to the cessation of hostilities, it is hoped that tonnage will gradually improve, causing a recovery in the receipts under the head "Pilotage receipts—Calcutta" and the budget estimate for 1919-20 has, therefore, been placed at Rs. 12,64,000.

EXPENDITURE.

Pages 107 to 116.

26. The sanctioned budget estimate for the current year was Rs. 11,12,000, but on the basis of the actuals of the first nine months of the current year, the revised estimate for 1918-19 has been placed at Rs. 12,47,000. In view of the decrease in the earnings of the pilots owing to the shrinkage of tonnage visiting the port of Calcutta, Government have guaranteed a minimum remuneration to them, and the increase in the revised estimate is partly due to this, and partly to a grant of Rs. 1 lakh.

sanctioned for the improvement of the port of Chittagong. As pointed o above the extra cost on account of the extra remuneration to the pilc will be more than covered from the revenue realized by the impositi of the surtax. The increase in expenditure would have been larger but f the savings caused by the failure of Mr. Mott to submit his report on t construction of the new Howrah Bridge and the non-payment to him of the f of Rs. 15,750 provided for the purpose in this year's budget.

In the budget estimate for 1919-20 provision has been made f payment of remuneration to the pilots under the guaranteed system, besid larger provision for the purchase of marine stores and for mooring hire. It al includes Rs. 18,480 for the appointment of mate pilots as chief officers, and outsiders as junior officers, of the two pilot vessels "Fraser" and "La Fraser", in order to set free the leadsmen apprentices to study the conditio of the river, Rs. 3,000 for the appointment of a superintendent for t branch shipping office, Kidderpore, Rs. 8,180 for the revision of the streng of shipping establishments and Rs. 2,400 for increase in the salary of fi engineer and shipwright surveyor. The usual annual grant of Rs. 1,50,0 for the Chittagong Port Fund has also been provided.

XIX and 22—Education.

Page 14.

Revenue.

	Actuals.			Budget estimate,	Revised estimate,	Budg estima
	1915-16.	1916-17.	1917-18.	1918-19.	1918-19	1919-2
	Rs.	Rs.	Rs.	Rs.	Rs	Rs.
Fees, Government colleges—						
General	3,21,927	3,48,322	3,56,415	3,50,000	3,86,000	4,00,0
Professional	60,892	59,539	60,821	63,000	60,000	62,0
Fees, Government schools—						
General	3,99,873	4,32,086	4,26,982	4,44,000	4,30,000	4,38,0
Special	33,365	39,864	39,166	41,000	41,000	45,0
Contributions from Native States, private persons and municipalities	18,431	12,135	15,225	15,000	15,000	16,0
Income from endowments ...	...	...	...	...	...	...
Miscellaneous	52,086	55,446	53,341	66,000	57,000	68,0
Total ...	8,86,574	9,47,392	9,51,950	9,79,000	9,89,000	10,29,0

Page 114

Expenditure.

	Actuals.			Budget estimate,	Revised estimate,	Budg estima
	1915-16.	1916-17.	1917-18.	1918-19.	1918-19.	1919-2
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
University	1,15,000	1,21,076	1,16,199	1,15,000	1,15,000	16,15,0
Direction	1,64,393	1,52,171	1,62,286	1,57,000	1,28,000	1,54,0
Inspection	9,15,901	8,95,833	8,98,391	9,28,000	8,88,000	9,23,0
Government colleges { General ...	9,53,535	9,06,720	9,29,265	9,69,000	9,25,000	9,56,0
Government colleges { Professional ...	3,37,953	3,40,846	3,42,942	3,94,000	3,65,000	3,77,0
Government schools { General ...	18,93,164	20,62,678	22,29,573	27,68,000	22,75,000	24,04,0
Government schools { Special ...	7,29,453	7,26,801	7,11,182	10,49,000	7,09,000	9,08,0
Grants-in-aid	29,45,916	18,93,911	20,18,445	23,29,000	21,92,000	26,43,0
Scholarships	2,51,352	2,48,827	2,49,598	2,81,000	2,69,000	2,76,0
Miscellaneous	1,73,707	3,36,261	4,25,960	7,17,000	3,30,000	7,05,0
Refunds	3,040	2,028	8,220	2,000	4,000	2,0
Lump provision for expenditure of the recurring Imperial assignment	...	...	...	24,000	...	10,0
Further grant for improvement of education	...	...	...	4,000	...	3,0
Lump provision for recurring expenditure for improving popular education	...	...	...	14,000	...	6,0
Lump provision for recurring expenditure for the development of primary education ...	...	...	...	5,50,000	3,00,000	2,0
Probable savings ...	...	...	...	...	...	12,00,0
Total ...	84,83,414	76,87,152	80,92,061	1,03,01,000	85,00,000	97,86,0

REVENUE.

27. The actuals in 1917-18 amounted to Rs. 9,52,000 and the budget estimate for 1918-19 was Rs. 9,79,000. This has been raised to Rs. 9,89,000 in the revised estimate with reference to the actuals of the first nine months of the current year. Considering the steady increase in revenue during the last three years, the estimate for 1919-20 has been passed for Rs. 10,29,000 and includes larger collections from Government colleges and schools—General. Pages 14 to 1

EXPENDITURE.

28. The provision for education shows a decrease of about Rs. 5 lakhs as compared with the current year's sanctioned estimate and is mainly due to larger probable savings having been deducted in the light of the expenditure incurred by the department in recent years, as explained in detail below. Considering recent actuals, therefore, the budget for the coming year is a progressive one.

University.—The budget estimate of Rs. 16,15,000 is made up of recurring Imperial grants of Rs. 30,000 for administration, Rs. 20,000 for Law Colleges and Rs. 65,000 for the development of the University. Besides the above usual provision a lump provision of Rs. 15 lakhs has been made, at the instance of the Government of India, to provide for capital expenditure which the recommendations of the University Commission might entail. As it is unlikely, however, that any schemes following on these recommendations will mature early enough in the coming year to admit of so large an expenditure as Rs. 15 lakhs, a lump deduction of Rs. 12 lakhs has been made, and a net provision of Rs. 3 lakhs allowed to stand as the first instalment of the expenditure to be incurred in 1919-20. Page 117.

Direction.—Under this minor head are shown the salaries of the Director of Public Instruction and of his Assistants; also the pay of the establishments of the Director's office and the connected contingent expenditure. The reduction in the revised estimate is mainly due to savings under "Salaries" owing to the permanent head of the department being absent on deputation and the post of the Director of Public Instruction being held by an officiating officer. The budget estimate for the next year provides for normal charges. Page 118.

Inspection.—The sanctioned estimate was Rs. 9,28,000; but the revised estimate has been placed at Rs. 8,88,000 in view of the actuals of the first nine months of the current year. The decrease is mainly under "Inspectors of other Schools", "Salaries" and "Allowances" and is due partly to the deputation of certain officers to military duty, and partly to the discontinuance of the payment of exchange compensation allowance. The budget estimate for 1919-20 includes a provision of Rs. 36,134 out of the Imperial grants for the appointment of additional inspectresses of schools, Rs. 3,960 for house allowances to assistant inspectresses, and Rs. 1,080 for the entertainment of additional establishment in the office of the inspector of European schools. Pages 119 to 1

Government Colleges—General.—The decrease in the revised estimate for 1918-19 occurs under "Salaries" and "Allowances", and is due mainly to the difficulty of recruitment and to the deputation of certain officers to military duty. The reduction in the budget estimate of 1919-20 as compared with the sanctioned estimate for the current year, is mainly due to the deduction of large sums as probable savings based on previous actuals. The estimate for 1919-20 includes a provision of Rs. 5,550 for the extension of affiliation of the Hooghly College in philosophy and economics, and Rs. 1,500 for the appointment of a lecturer in mathematics for the Rajshahi College, besides provision for the whole year for one appointment of professor in the Hooghly College and one lecturer in the Chittagong College sanctioned in June and July 1918, respectively. A provision of Rs. 2,400 has also been made for the post of a lecturer of philosophy and logic in the Dacca College. Pages 121 to 1

Government Colleges—Professional.—The reduction in the revised estimate for 1918-19 is chiefly due to savings under "Salaries" in the Law College, Pages 124 to 1

Training Colleges and in the Civil Engineering College, and to the no utilization of the lump provision of Rs. 40,000 for the proposed Seconda Training College for women teachers at Ballyganj. The estimate f 1919-20 has been fixed at Rs. 3,77,000 against the sanctioned estima of Rs. 3,94,000 for 1918-19 and the revised estimate of Rs. 3,65,000 f the current year. The decrease in next year's estimate as compare with the sanctioned estimate for the current year, is mainly due to tl omission of the lump provision of Rs. 40,000 for the Training College f women teachers at Ballyganj. The coming year's estimate includes provisi of Rs. 4,500 for the appointment of an instructor in mechanical drawing, a Rs. 1,728 for a lecturer in architecture, in the Civil Engineering Colleg Sibpur. Larger provision under supplies and services and contingencies h also been made according to the requirements of the Civil Engineerin College.

Pages 127 to 130. *Government Schools—General.*—The sanctioned estimate for the curre year was Rs. 27,68,000, but considering the actuals of 1917-18 whic amounted to Rs. 22,30,000 and the actuals of the first nine months of this yea the revised estimate has been fixed at Rs. 22,75,000. The large savings the revised estimate are mainly due to the non-utilization of the provision Rs. 14,25,000 from Imperial grants in full. In the budget estimate for 1919-2 though the Imperial grants have been repeated, large deductions have bee made as probable savings on the basis of recent actuals. The next year estimate includes Rs. 8,520 for the payment of house allowances to zenan governesses and mistresses, the provision being in pursuance of the polic to replace male teachers in girls' schools by women teachers, and Rs. 720 f the appointment of an additional teacher of English for the Eden High Scho for girls.

Pages 131 to 136. *Government Schools—Special.*—Considering the actuals of 1917-18 whic amounted to Rs. 7,11,000 and the first nine months' actuals of the curre year, the revised estimate for this year has been fixed at Rs. 7,09,000 again the sanctioned estimate of Rs. 10,49,000 for 1918-19. The savings are part under "Salaries" and "Supplies and Services" and partly due to the transf of allotments to the Public Works Department for the construction of educa tional buildings; large lapses also occurred out of the provisions from Imperi grants owing to schemes not having matured in time to admit of th full provision being utilized. In the next year's budget estimate the Imperi grants have been repeated, but as it does not appear probable that sanctio will be accorded and expenditure incurred in full, large deductions have bee made as probable savings. The coming year's estimate includes Rs. 9,60 for the appointment of a member of the Indian Educational Service a Principal of the Government Commercial Institute, Rs. 4,200 for special Islami Matriculation examinations, Rs. 1,24,000 for the construction of buildings f *guru*-training schools, and Rs. 12,270 for the training of Moslem wome teachers. Of the last two allotments Rs. 1,12,270 have been provided fro the recurring Imperial grant of Rs. 5,50,000 for the improvement of popul education.

Pages 137 and 138. *Grants-in-aid.*—The sanctioned estimate of Rs. 23,29,000 for 1918-1 includes Rs. 10,22,000 out of the Imperial grants. The large savin noticeable in the revised estimate is due partly to the inability of the depar ment to utilize the Imperial grants in full, and partly to the transfer of sum to the Public Works Department for the construction of educational building Though the Imperial grants have again been repeated in the coming year budget, large deductions as probable savings have been made on the basis recent actuals. Noticeable features in next year's budget are a provisio of Rs. 1 lakh to meet a capital grant to the Calcutta Girls' High School an Rs. 30,000 for the furtherance of the madrassa reform scheme.

Pages 139 and 140. *Scholarships.*—The sanctioned estimate for 1918-19 was Rs. 2,81,00 but this has been reduced to Rs. 2,69,000 in the revised estimate i view of the actuals of the first nine months of the current year. Th budget estimate closely follows the revised estimate for the current year, an includes a provision of Rs. 2,000 for the grant of stipends to the children Indian soldiers, and Rs. 5,400 to the children of indigenous *dhais*.

Miscellaneous.—Under this minor head provision is made for the payments of grants for the encouragement of literature, examination charges and other miscellaneous charges of the Department. The large reduction in the revised estimate of the current year is mainly under the lastnamed head, and is chiefly due to the non-utilisation in full of the provision for Calcutta messes and hostels out of the imperial grants. In the next year's budget besides normal provision the following allotments have been made :— Pages 14: 142

	Rs.
Calcutta hostels	1,89,000
Sewerage and drainage scheme, Sibpur Civil Engineering College	1,55,000
Appointment of a physical adviser	4,500

Lump grant for the development of Primary Education.—In passing orders in the second edition of the estimates for 1918-19, the Government of India sanctioned a recurring assignment of Rs. 5,50,000 from imperial revenues for the development of primary education. The assignment is shown on the receipt side in the budget for 1918-19 under the head, "Transfers between imperial and provincial revenues," and an equivalent amount is provided in lump under the head "22—Education". Out of the lump grant Rs. 5,26,000 have been distributed as follows in the budget for the coming year :—

	Rs.
Increase in the pay of teachers of aided primary schools and maktabs for girls in District Board areas at the rate of Re. 1 per mensem and in urban areas by Rs. 2 a month	80,000
Establishment of primary schools for girls in panchayati unions	30,000
Building for model primary schools for girls ...	16,000
Appointment of two assistant inspectresses of schools in Eastern Bengal	12,131
Establishment of a Moslem training school for women teachers in Calcutta	12,270
Education of children of indigenous *dhais* ...	5,400
Increased grants to maktabs in Boards' areas ...	80,000
Extension of panchayati union schools for boys ...	1,20,000
Grants to local bodies to enable them to raise the rate of stipends of untrained teachers in aided primary schools and maktabs for boys ...	60,336
Encouragement of education among Santhals in Dinajpur	4,000
Grants to the depressed class mission	3,000
Construction of buildings for guru training schools	1,00,000
Reserve	2,664
Total ...	5,25,804 or 5,26,000 in round figures.

Imperial Grants.—The distribution of the various recurring and non-recurring grants made by the Government of India to this Presidency for

the development of education, under the several minor heads in this a next year's budget is shown below :—

	1918-19.	1919-20.
	Rs.	Rs.
University	65,000	3,65,000
Inspection	34,715	46,849
Government Colleges—General	6,360	6,960
Ditto— Professional	41,260	4,020
Government Schools—General	14,25,098	14,55,038
Ditto— Special	4,13,340	5,60,150
Grants-in-aid	10,22,461	16,52,733
Scholarships	21,132	27,132
Miscellaneous	52,910	2,76,664
Lump sum unallotted ...	41,724	23,158
Lump provision for the development of primary education	5,50,000	..
Total ...	36,74,000	44,17,704

XXA and 24A—Medical.

Revenue.

Page 16.

—	Actuals. 1915-16.	1916-17.	1917-18.	Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budg estima 1919-2
	Rs	Rs.	Rs.	Rs.	Rs	Rs.
Medical School and College fees	1,04,628	1,14,758	1,29,266	1,51,000	1,27,000	1,40,0
Hospital receipts (receipts from paying patients).	1,42,804	1,56,030	1,54,012	1,50,000	1,61,000	1,63,0
Lunatic Asylum receipts ...	21,668	24,008	26,191	25,000	20,000	9,0
Contributions (from municipalities and private persons).	65,176	64,030	65,259	64,000	65,000	64,0
Medicines sold by Civil Surgeons	115	15	...	...	2,000	...
Miscellaneous	25,183	14,777	26,106	15,000	30,000	20,0
Total ...	3,59,574	3,73,618	4,00,834	4,05,000	4,05,000	3,96,0

Expenditure.

Page 143.

—	Actuals. 1915-16.	1916-17.	1917-18.	Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budg estima 1919-2
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Medical establishment ...	4,76,143	4,53,141	4,59,816	5,23,000	4,81,000	6,72,0
Hospitals and dispensaries ...	10,83,123	10,84,780	15,41,284	12,85,000	13,53,000	12,39,0
Grants for medical purposes ...	5,000	1,09,283	96,406	1,09,000	98,000	1,00,0
Medical Schools and Colleges ...	4,59,491	4,37,107	4,55,371	5,10,000	4,87,000	5,18,0
Lunatic Asylum	1,97,498	1,96,528	1,95,443	1,99,000	1,93,000	1,82,0
Chemical Examiner ...	39,043	38,010	40,095	40,000	40,000	42,0
Refunds	23,442	17,481	15,656	20,000	15,000	16,0
Total ...	22,83,740	23,36,330	28,04,071	26,86,000	26,67,000	27,69,0

Revenue.

ages 16 and 17.] 29. The estimate of Rs. 3,96,000 for the year 1919-20 is less Rs. 9,000 than the sanctioned estimate of Rs. 4,05,000 for the current yea

This is mainly due to a fall in revenue under the head "Receipts from paying patients," owing to the transfer of the European inmates of the Bhowanipur Lunatic Asylum to Ranchi. The fall in revenue under the abovementioned head is, however, counterbalanced to some extent by the increase in income from hospital receipts.

EXPENDITURE.

30. *Medical Establishment.*—Under this minor head is shown the salaries of the Surgeon-General, the Civil Surgeons and their establishments and contingent charges. It also records the pay of the assistant and sub-assistant surgeons paid by Government and of the reserve medical officers and subordinates. The decrease in the revised estimate is partly due to the transfer of a part of the provision of Rs. 54,670 for the revision of the pay of sub-assistant surgeons to other minor heads, to which their pay is debitable, and to savings on account of the late introduction of the revised scheme. The estimate for 1919-20, which generally follows the sanctioned estimate for the current year, includes, besides the increased rates of pay sanctioned recently for sub-assistant surgeons for the whole year, a provision of Rs. 3,300 for the appointment of second clerks in the offices of certain Civil Surgeons, and Rs. 1,50,000 to give effect to the proposal for an increase in the emoluments of the officers of the Indian medical service, which has been recently announced. Pages 143 and 144.

Hospitals and Dispensaries.—The accounts of all the Presidency hospitals and of the grants to hospitals and dispensaries together with the Government share of expenditure in mufassal hospitals and dispensaries are recorded under this head. The expenditure of the Albert Victor Asylum for lepers is also shown here. The large increase in the revised estimate, as compared with the sanctioned estimate for the current year, is mainly due to the revision of the pay of sub-assistant surgeons and to the increase in the pay of menials recently sanctioned. Larger expenditure under contingencies in the Medical College and General Hospitals, and under "Supplies and Services" in the General Hospital, also contribute towards the increase. The increase in expenditure under "Contingencies" and "Supplies and Services" is mainly due to the general rise in the price of all articles of contingency and medical stores. Pages 145 to 1

The budget for 1919-20 has been fixed at Rs. 12,39,000 against the sanctioned estimate of Rs. 12,85,000 for the current year. The reduction is mainly under the head "Grants to hospitals and dispensaries" and is due to the absence from the next year's estimate of any provision for the non-recurring grant to the Belgachia Institute, as the last instalment amounting to Rs. 1,62,000 of the promised grant of Rs. 5,00,000 towards the cost of the buildings of the Institute will be paid in full this year. Next year's estimate provides for normal growth, and includes Rs. 11,970 for the revision of the pay of the menials of the Medical College and Presidency General Hospitals for the whole year, Rs. 2,748 for the appointment of two emergency officers for the Campbell Hospital, and Rs. 5,000 for the grant of war allowance to the nurses of the Campbell Hospital, besides several other schemes involving small expenditure, the details of which are shown in the schedule appended to this note. A sum of Rs. 20,000 has also been added for converting the Dacca Mitford Hospital into a State institution.

Medical Schools and Colleges.—Against the sanctioned estimate of Rs. 5,10,000, the revised estimate for the current year has been fixed at Rs. 4,87,000 in view of the actuals of the first nine months, the savings being mainly under salaries. The estimate for 1919-20 generally follows the sanctioned estimate for the current year, the small increase in next year's estimate as compared with the sanctioned estimate for the current year being mainly due to the inclusion of the new schemes shown in the schedule attached to this note and to larger provision under "Supplies and Services" and "Contingencies" based on recent actuals. Pages 150 to

Lunatic Asylum.—The reduction in the revised estimate for the current year and in the budget estimate for the coming year, as compared Page 153.

with the sanctioned estimate for 1918-19, is mainly due to the transfer of the European lunatics from the Bhowanipur Lunatic Asylum to Ranchi. For next year provision has been made for normal expenditure.

XXB and 24B—Sanitation.

Page 17.

Revenue.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18			
	Rs	Rs.	Rs	Rs.	Rs.	Rs.
Sanitation and vaccination receipts.	660	83,937	12,322	18,000	8,000	10,000

Page 154.

Expenditure.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16	1916-17.	1917-18.			
	Rs.	Rs.	Rs	Rs.	Rs.	Rs.
Sanitation and Vaccination establishment	2,48,166	2,56,271	2,72,264	2,97,000	2,87,000	4,60,000
Grants for sanitary purposes ...	2,13,735	91,620	1,08,050	12,000	1,93,000	...
Expenses in connection with bubonic plague, malaria and epidemics	81,444	45,565	72,072	12,000	53,000	23,000
Bacteriological laboratories and Pasteur Vaccine Institute ...	...	...	16,771	...	12,000	13,000
Lump provision for sanitation ...	...	...	...	8,50,000	3,59,000	13,70,000
Refunds	...	...	23	...	...	...
Total ...	5,43,345	3,93,456	4,69,180	11,71,000	9,04,000	18,66,000

Page 17.

REVENUE.

31. The current year's estimate was framed in the hope that a grant of Rs. 12,000 would be received from the Indian Research Institute for the enquiry into diabetes. As this enquiry has been practically concluded a grant of only Rs. 2,000 is now expected and the revised estimate has accordingly been fixed at Rs. 8,000. In the year 1919-20, in addition to the normal revenue under this head, an income of Rs. 1,000 is expected from the sale of lymph and Rs. 3,200 as fees for water analysis. The estimate has therefore been fixed at Rs. 10,000.

Pages 155 and 156.

EXPENDITURE.

32. *Sanitation and Vaccination Establishment.*—The budget estimate for 1919-20, besides providing for normal charges on account of the staff of the Vaccine Department and the Sanitary and Deputy Sanitary Commissioners and their staff and establishment, includes Rs. 75,000 for an enquiry into the hookworm disease, Rs. 25,000 for an investigation into river pollution, Rs. 28,000 for the construction of a cold storage room in the Vaccine Depôt, Rs. 5,000 to give a course of training to enable young medical men to take the Calcutta D. P. H. degree, so as to qualify for appointment as district health officers, Rs. 4,500 for the appointment of a special officer to scrutinize college and school buildings from the point of view of hygiene and Rs. 10,000 for the establishment of a Publicity Bureau to educate the general public in regard to public health matters.

Page 154.

Grants for Sanitary Purposes.—Under this head are debited the grants to local bodies for minor sanitary works and for water-supply and drainage schemes which are sanctioned out of the lump provision for sanitation. This accounts for the increase in the revised estimate for the current year, which

includes a grant of Rs. 50,000 to the Krishnagar municipality for water-supply, Rs. 10,500 for the Jungipur drainage scheme, Rs. 10,400 for the Utterpara water-supply scheme, Rs. 25,000 for the Kurseong drainage scheme, besides several small grants for sanitation purposes. The estimate of Rs. 12,000 in the budget of 1918-19 represents the provision for the enquiry into diabetes. As the enquiry has been stopped no provision has been made next year.

Expenses in connection with Bubonic Plague, Malaria and Epidemics.—The increase in the revised estimate for 1918-19 is mainly due to the purchase of quinine for distribution. The budget estimate for the coming year includes provision of Rs. 11,000 for Kala-azar investigation. Page 156

Lump provision for Sanitation.—The reduction in the revised estimate for the year 1918-19 is more apparent than real, as it is due partly to the transfer of a sum of Rs. 1,90,000 to the Irrigation Department for anti-malarial schemes, and of Rs. 23,000 to the Public Works Department for the improvement of the Berhampore sluice, and for the purchase of steel rods, etc., for sanitary projects to be undertaken by the Sanitary Department, and partly to some of the sanctioned expenditure having been debited under the heads "Grants for Sanitary purposes" and "Expenses in connection with malaria". The large provision in the budget for 1919-20 is in accordance with the policy initiated last year for schemes of sanitary improvement, and anti-malarial works. The details of the schemes proposed to be undertaken next year will be found in the schedule which forms an annexure to this note. Page 154

25—Political.

Expenditure.

Page 158.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18			
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Political Agents	10,989	16,168	22,141	21,000	19,000	21,000
Durbar presents and allowances to Vakils, etc.	3,278	5,732	3,144	7,000	4,000	7,000
Miscellaneous	8,920	67,480	2,54,442	2,71,000	2,65,000	2,42,000
Total ...	23,187	89,380	2,79,727	2,99,000	2,88,000	2,70,000

This head is not open to discussion

Expenditure.

Page 158

33. The estimate for 1918-19 was Rs. 2,99,000 but in the revised estimate this has been reduced to Rs. 2,88,000, chiefly owing to a decrease in the charges arising from the internments under the Defence of India Act. The budget estimate for 1919-20 has been fixed at Rs. 2,70,000, and besides providing for the normal charges includes Rs. 2,25,000 for the payment of personal and family allowances to *détenus* under the Defence of India Act, and Rs. 8,796 for the introduction of the scheme for the reporting of Bengali and Urdu speeches of importance in Calcutta and in the mufassal.

XXIA and 26A—Agriculture.

Revenue.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs	Rs.
Veterinary receipts ...	38,994	43,585	45,623	55,000	51,000	60,000
Agricultural receipts ...	62,162	72,612	75,833	1,00,000	96,000	1,25,000
Total ...	1,01,156	1,16,197	1,21,456	1,55,000	1,47,000	1,85,000

Page 159.

Expenditure.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budg estima 1919-2
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Veterinary charges ...	2,40,384	1,95,424	2,13,303	2,29,000	2,20,000	2,44,0
Agriculture	7,82,388	7,56,116	7,95,212	9,35,000	10,80,000	11,58,0
Co-operative credit ...	1,16,390	1,34,935	1,63,007	2,56,000	2,34,000	3,46,0
Refund	...	125	...	...	...	...
Total ...	11,39,162	10,86,600	11,71,522	14,20,000	15,34,000	17,48,0

REVENUE.

34. The agricultural receipts consist mainly of the sale-proceeds of fa produce at district farms and of receipts from sericultural nurseries. T budget provides for a small increase as compared with the sanctioned es mate for the current year, the increase expected being from the centres demonstration of the Kakya Bombai jute and Indrasail rice cultivatio which the Agricultural Department have undertaken as an experiment "measure".

The head veterinary receipts includes mainly fees levied for the treatme of horses and cattle at veterinary hospitals.

EXPENDITURE.

Pages 159 to 161. 35. *Veterinary charges.*—The small decrease in the revised estimate compared with the sanctioned estimate for the current year is chiefly due savings under salaries. The estimate for 1919-20, besides providing f the normal development of the veterinary department, includes a provision Rs. 6,000 for the appointment of a second Imperial service officer in the st of the Bengal Veterinary College, and a sum of Rs. 29,310 for the revisi of pay of veterinary assistants; two-thirds of the cost of this revision, may be mentioned, will be recovered from local bodies.

Pages 162 to 167. *Agriculture.*—The Agricultural Department at present comprises t following principal officers :—(*a*) a Director of Agriculture, (*b*) two Depu Directors of Agriculture, (*c*) a Fibre Expert, (*d*) an Agricultural Chemis (*e*) an Economic Botanist, (*f*) a Superintendent and a Curator for Botanic Gardens, and (*g*) Superintendent of Sericulture, and 22—District Agricultu officers.

The large increase in the revised estimate as compared with t budget estimate for 1918-19 is mainly due to the transfer of a sum Rs. 20,000 to this head for the purchase and distribution of cotton seeds, an additional grant of Rs. 7,000 for experiments in water hyacinth, and to larger expenditure of Rs. 25,000 under sericulture with a view to utilize th exceptionally good mulberry crop of the year. The cost of removal of th Director's office from Calcutta to Dacca, the appointment of ten distri agricultural officers, together with the additional expenditure incurred in t extension of the areas under experiment, also contributed largely towards th increase. In September last the Government of India sanctioned an add tional grant of Rs. 1,80,000 from Imperial revenues for the development agricultural education, and though this amount does not appear in the civ estimates among the sanctioned allotments of the current year, it is availab for expenditure. A sum of Rs. 50,000 has already been transferred to th Public Works Department for the construction of certain buildings connection with the establishment of an agricultural middle school at the Dac farm. The budget estimate for the year 1919-20 provides for further develo ment of the department. The estimate includes Rs. 90,000 for the establis ment of two new district agricultural farms, and Rs. 19,872 for the entertai ment of nine district agricultural officers, in pursuance of the scheme for th distribution of improved paddy and jute seed, Rs. 11,192 for the appoin ment of a third Deputy Director of Agriculture, Rs. 2,280 for the entertai

ment of 19 durwans for guarding the seed stores, Rs. 5,500 for the appointment of temporary establishment in connection with the census of cattle, Rs. 3,000 for additional establishment under the Economic Botanist, and Rs. 10,000 for the construction of a model rearing house at Berhampore. A provision of Rs. 1 lakh out of the Imperial grant of Rs. 1,80,000 for agricultural education has been made in next year's budget. A sum of Rs. 13,600 has also been added for the construction of certain agricultural buildings, and Rs. 1,080 for additional establishment under the Weaving Expert.

Co-operative Credit.—The budget estimate for 1919-20 has been fixed at Rs. 3,46,000 against the sanctioned estimate of Rs. 2,56,000 for the current year. The coming year's estimate includes Rs. 21,672 for the appointment of additional auditors, the entire cost of which will be recouped by the levy of audit fees on the societies, Rs. 21,192 for the appointment of 4 sub-deputy collectors, 8 non-gazetted inspectors and 12 peons for strengthening the inspecting staff and Rs. 5,000 for the revision of establishment of the Registrar's office. A provision of Rs. 38,000 has also been made for the development of cottage industries. Page 168.

XXIB and 26B—Scientific and Miscellaneous Departments.

Revenue.

Page 17.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18			
	Rs.	Rs.	Rs.	Rs.	Rs	Rs
Cinchona Plantations ...	5,47,871	11,99,128	25,64,635	18,47,400	18,04,000	10,00,000
Emigration fees ...	11,749	8,837	96	600	100	100
Inland labour transport fees ...	3,734	2,092	1,622	1,500	1,800	1,900
Examination fees ...	737	928	3,176	1,000	3,000	3,000
Miscellaneous	40,758	49,574	65,798	58,500	71,000	75,000
Fisheries	...	...	70	...	100	2,200
For rounding ...	...	...	...	...	...	-200
Total ...	6,04,849	12,60,469	26,35,397	19,09,000	18,80,000	10,82,000

Expenditure.

Page 169.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19	Budget estimate, 1919-20.
	1914-15.	1915-16.	1916-17.			
	Rs.	Rs	Rs.	Rs.	Rs.	Rs.
Cinchona Plantations ...	2,01,394	2,16,338	2,39,824	14,61,000	17,96,000	3,16,000
Donation to scientific societies	19,871	18,375	17,472	22,000	22,000	22,000
Emigration	21,401	21,782	20,954	22,000	15,000	21,000
Inland Labour Transport ...	22,633	23,052	20,592	22,000	14,000	24,000
Inspector of Factories ...	53,626	57,154	73,340	77,000	79,000	74,000
Gazetteer and statistical memoirs	...	1,440	...	3,000	1,000	3,000
Provincial statistics ...	38,860	38,644	39,993	39,000	39,000	39,000
Preservation, etc., of ancient manuscripts.	9,200	9,200	9,200	9,200	9,000	9,200
Examinations	872	907	1,422	1,500	2,000	1,500
Fisheries	37,431	39,475	44,355	50,000	...	...
Development of industries ...	...	...	44,746	...	1,38,000	4,58,000
Miscellaneous	25,121	26,423	25,754	27,000	74,000	77,000
Registrar of Joint Stock Companies	16,369	15,991	16,844	22,000	19,000	22,000
Inspector of Mines ...	81	71	193	100	200	200
Refunds	831	754	560	800	800	700
Lump provision for Director of Industries.	...	...	...	54,000	...	...
Lump provision for development of industries.	...	...	...	1,50,000	...	...
For rounding ...	...	...	...	-600	...	+400
Total ...	4,47,690	4,69,606	5,55,255	19,60,000	22,09,000	10,68,000

Page 17

REVENUE.

36. Owing to large demands from the Madras Government and th Military Department for the supply of sulphate of quinine, the curren year's estimate under this head was fixed at Rs. 19,09,000, counting on revenue of Rs. 18,00,000 from the sale of quinine alone. This expectatio has not been fully realized, the revenue anticipated this year bein Rs. 17,00,000 only.

For the next year an income of Rs. 10,82,000 is estimated, as wit the cessation of hostilities a fall in the demand for quinine from th Military Department is expected.

Pages 169 to 176.

EXPENDITURE.

37. The original estimate for 1918-19 was fixed at Rs. 19,60,000 but it has been raised to Rs. 22,09,000 in the revised estimate, mainly owing to increased expenditure in the purchase of quinine and to an expenditure of Rs. 47,000 on the Director of Civil Supplies. Of the excess expenditure under quinine Rs. 1,75,000 will be provided from Imperial revenue and the cost of the Director of Civil Supplies will be eventually fully recouped by an assignment through the transfer head from the Government of India. The expenditure under this major head would have been still larger but for the transfer of Rs. 75,500 to the Public Works Department for the acquisition of land and the construction of buildings for the research tannery at Tangra.

The estimate for 1919-20 which has been placed at Rs. 10,68,000, besides allowing for larger provision for extension of the areas under Cinchona plantation in each of the plantations at Mungpoo and Munsong, includes Rs. 18,000 as a grant to the Bengal Home Industries Association, Rs. 78,400 for the equipment, establishment and other recurring and non-recurring charges of the research tannery, Rs. 2,50,000 for the development of industries, to give immediate effect, as far as possible, to the proposals of the Indian Industrial Commission, Rs. 3,000 for experiments in connection with hand-loom and other industries, Rs. 4,500 for the appointment of three District Fisheries officers, the cost of two of whom will be borne by this Government and the Government of Bihar and Orissa in equal shares, and of the third by this Government wholly, and Rs. 50,000 to meet the salary of the Director of Civil Supplies and the cost of his establishment and contingencies.

XXII and 29—Superannuation.

Page 18.

Revenue.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Contributions for pensions and gratuities	41,452	48,273	45,987	45,000	48,000	46,000
Deduction for Pilot Service pension fund	13,131	10,738	11,382	11,000	12,000	12,000
Total ...	54,583	59,011	57,369	56,000	60,000	58,000

Expenditure. Page 177.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Superannuation and retired allowances	30,23,185	31,42,531	32,50,232	33,50,000	32,90,000	33,55,000
Covenanted Civil Service pensions	45,625	35,000	30,000	30,000	40,000	45,000
Compassionate allowances ...	4,564	3,643	3,702	4,000	3,800	4,000
Gratuities	17,264	20,892	24,775	21,000	19,000	18,000
Refunds	815	3	70	...	200	...
Commuted value of pensions	50,356	99,029	67,193	1,25,000	1,25,000	1,25,000
Total ...	31,41,809	33,01,098	33,75,972	35,30,000	34,78,000	35,47,000

REVENUE. Page 18.

38. The receipts under this head consist chiefly of contributions for pensions and gratuities on account of officers of Government lent to foreign service for employment under the Court of Wards, municipalities and other local bodies and Native States. Deductions for pilot service pension funds are also shown under this head. The variations in the estimates are small and call for no remarks.

EXPENDITURE. Page 177.

39. This head comprises charges for pensions, gratuities and compassionate allowances, and for the commuted value of pensions to Government servants. The decrease in the revised estimate for 1918-19 as compared with the sanctioned budget is due to smaller expenditure under "Superannuation and retired allowances". The budget for 1919-20 provides for normal expansion of the pension list.

XXIII and 30—Stationery and Printing. Page 18.

Revenue.

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Stationery receipts ...	3,213	2,934	2,530	3,000	1,500	3,000
Sale of gazettes and other publications.	90,849	97,735	79,680	71,000	83,000	85,000
Other Press receipts ...	39,333	49,130	57,887	48,000	57,500	61,000
Total ...	1,33,395	1,49,799	1,40,097	1,22,000	1,42,000	1,49,000

Page 178.

Expenditure.

	Actuals. 1915-16	1916-17.	1917-18.	Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budge estimat 1919-2
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Stationery purchased in the country.	29,705	27,794	21,815	25,000	24,000	25,0
Government presses ...	6,14,589	5,80,498	5,12,995	5,60,000	5,46,000	5,40,0
Printing at private presses ...	2,956	2,251	1,410	2,000	1,000	2,0
Stationery supplied from central stores.	6,53,203	6,80,401	8,36,762	8,50,000	9,00,000	9,25,0
Refunds	998	641	740	1,000	2,000	1,0
Total ...	13,01,451	12,91,585	13,73,722	14,38,000	14,73,000	14,93,0

Page 18.

REVENUE.

40. The actuals of 1917-18 amounted to Rs. 1,40,000 and in view the actuals of the first nine months of the current year, the original estima of Rs. 1,22,000 for 1918-19 has been raised to Rs. 1,12,000 in the revis estimate. Following the revised estimate and allowing for small expansi the estimate for 1919-20 has been fixed at Rs. 1,19,000.

Pages 178 to 184.

EXPENDITURE.

41. The increase in the revised estimate is under the head "Statione supplied from central stores" for which Rs. 9,60,000 has been taken again the sanctioned estimate of Rs. 8,50,000. This is due to the rise in t prices of paper and other articles of stationery. The small decrease und "Government Press" is mainly due to savings in the Jail Press owing to le expenditure in contract and miscellaneous printing and European stores.

For next year Rs. 9,25,000 has been provided under "Statione supplied from central stores" and Rs. 31,000 for the purchase of tv linotypes and Rs. 4,000 for a book sewing machine for the Secretariat Pres otherwise the estimate provides for normal requirement.

XXV and 32—Miscellaneous.

Page 19.

Revenue.

	Actuals. 1915-16.	1916-17.	1917-18.	Budget Estimate, 1918-19.	Revised Estimate, 1918-19.	Budget Estimat 1919-20
1	2	3	4	5	6	7
	Rs	Rs.	Rs.	Rs.	Rs.	Rs.
Recovery on account of famine expenditure.	...	74,625	2,220	...	1,000	...
Unclaimed deposits ...	5,42,506	5,47,427	4,50,352	5,50,000	5,10,000	5,10,00
Treasure-trove	...	...	97	...	200	...
Sale-proceeds of Durbar presents	1,500	3,005	1,095	2,000	1,000	2,00
Sale of old stores and materials	1,638	1,449	8,235	2,000	4,000	2,00
Sale of lands and houses, etc.	925	2,712	62	1,000	3,00,000	1,00
Fees for Government audits ...	25,319	16,690	18,104	39,000	55,000	66,00
Rents	14,806	13,999	10,251	14,000	9,000	14,00
Miscellaneous fees, fines and forfeitures	10,125	7,292	6,751	8,000	10,800	9,00
Contributions	...	...	...	...	3,000	20,00
Extraordinary items ...	...	4,455	...	...	...	...
Miscellaneous ...	68,389	79,588	68,396	65,000	59,000	75,00
Total ...	6,65,208	7,51,242	5,65,563	6,81,000	9,53,000	6,99,00

Expenditure. Page 189.

	Actuals.			Budget Estimate, 1918-19.	Revised Estimate, 1918-19.	Budget Estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
1	2	3	4	5	6	7
	Rs.	Rs.	Rs	Rs.	Rs.	Rs.
War Boards—Publicity Board ...	...	...	...	...	1,50,000	...
Charges for search of hidden treasure.	...	30	33	...	...	...
Miscellaneous charges for the treatment of patients at the Pasteur Institute ...	1,535	1,968	2,519	3,000	3,000	3,000
Rewards for proficiency in oriental languages and allowances to Language Examination Committees	6,069	21,253	14,004	15,000	13,000	14,000
Cost of books and publications	600	604	2,125	600	600	600
Donations for charitable purposes	5,17,542	64,486	57,717	85,000	1,20,000	76,000
Charges on account of European vagrants.	5,414	7,885	5,237	8,000	5,000	6,000
Rewards for destruction of wild animals.	16,659	14,623	16,108	17,000	12,000	16,000
Petty establishments ...	24,375	22,772	21,969	21,000	22,000	22,000
Special commissions of enquiry	2,074	3,509	...	10,000	...	10,000
Irrecoverable temporary loans written off.	2,707	10,520	1,51,755	4,000	3,55,000	10,000
Rents, rates and taxes ...	25,194	28,229	31,502	30,000	26,000	32,000
Contributions	4,562	3,043	4,626	8,000	34,000	8,000
Miscellaneous and unforeseen charges	7,213	50,246	10,065	2,96,000	38,000	3,21,000
Miscellaneous refunds ...	12,692	13,135	3,825	12,000	12,000	12,000
Annual stipends to holders of literary titles.	2,000	1,900	2,400	2,200	2,400	2,300
Subscription to periodicals ...	9,831	3,633	794	2,000	3,000	1,000
Lump provision for grain compensation allowance to be distributed under the various heads	...	...	...	4,00,000	...	4,00,000
For rounding ...	...	...	...	200	...	100
Total ...	6,38,467	2,47,836	3,24,679	9,14,000	7,96,000	9,34,000

REVENUE.

Page 19.

42. The receipts for 1918-19 were estimated at Rs. 6,81,000 against the actuals of Rs. 5,66,000 of 1917-18, which included Rs. 4,50,000 from unclaimed deposits. In view of the actuals of the first nine months of the current year, the original estimate of Rs. 5,50,000 for 1918-19 has been reduced to Rs. 5,10,000 in the revised, while on the latest actuals the revised under "Fees from Government audit" has been raised by Rs. 16,000. The large increase under the head "Sale of land and houses" in the revised estimate is mainly due to the credit under this head of the sale proceeds of the Amherst Street Police Hospital.

The estimate for 1919-20 is Rs. 6,99,000 and includes Rs. 5,10,000 for unclaimed deposits, Rs. 66,000 for "Fees for Government audit" and Rs. 75,000 under "Miscellaneous".

EXPENDITURE.

Pages 185 to 1

13. The estimate for 1918-19 was originally fixed at Rs. 9,14,000, but in the revised estimate this has been reduced to Rs. 7,96,000. The reduction, which is more apparent than real, is chiefly due to the adjustment, under appropriate heads, of the expenditure sanctioned by His Excellency from his allotment for petty grants, to the adjustment under the appropriate heads, expenditure on grain compensation allowance, and to the reappropriation of the reserve provision of Rs. 2,00,000 in order to meet expenditure

under other heads. The expenditure Rs. 1,50,000 on the War Publicit Board is debited to this head. The charges on this account will, in the firs instance, be debited to provincial revenues, but will eventually be recovere from the Government of India. Savings under this head have also bee utilized in paying off the loans on account of the Bistupur embankmen Uttarbagh work and the Moshagram-Dehaty embankment, and in makin a remission in accordance with previous arrangements of Rs. 3,00,000 c the loan granted to the late Nawab Salimullah of Dacca.

As the War Publicity Board has been abolished no provision ha been made for it in next year's budget. The coming year's estimat includes the following provision :—

	Rs.
For allotment of petty grants by His Excellency ...	40,000
For payment of Grain Compensation Allowance ...	4,00,000
For gratuitous relief	75,000
General reserve for unforeseen requirements ...	2,00,000

Page 20.

XXIX and 42—Irrigation Major Works.

Revenue.

—	Actuals. 1915-16.	Actuals. 1916-17.	Actuals. 1917-18.	Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	Rs.	Rs.	Rs	Rs.	Rs.	Rs.
In charge of Public Works officers—						
Direct receipts ...	2,78,079	2,89,732	2,78,301	2,82,000	3,00,000	2,80,000
Provincial share (one-half)	1,39,040	1,44,866	1,39,151	1,41,000	1,50,000	1,40,000

Page 189.

Expenditure.

—	Actuals. 1915-16.	Actuals. 1916-17.	Actuals. 1917-18.	Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	Rs.	Rs.	Rs.	Rs	Rs.	Rs.
Interest on debt	3,48,476	3,30,804	3,48,526	3,31,000	3,49,000	3,49,000
Provincial share (one-half) ...	1,74,238	1,65,402	1,74,263	1,66,000	1,75,000	1,75,000
Working expenses in charge of Public Works officers—						
Works (extension and improvements).	1,940	681	139	3,000	2,600	4,000
Maintenance and repairs ...	91,760	72,505	86,711	1,45,000	1,43,000	1,12,000
Establishment ...	77,565	93,022	68,848	95,500	67,000	63,500
Other items ...	24,757	19,596	15,601	26,500	24,400	23,500
Total ...	1,96,022	1,85,804	1,71,299	2,70,000	2,37,000	2,03,000
Provincial share (one-half)	98,011	92,902	85,650	1,35,000	1,19,000	1,02,000

Page 20.

REVENUE.

44. The increase in the revised estimate as compared with the budge estimate for 1918-19 is chiefly under navigation receipts, due to th diversion of railway goods traffic, on account of the shortage of railway wagons to boat traffic on the canals. It is not now anticipated that this increase i canal-borne goods traffic will continue, and therefore the budget estimate fc

1919-20 has been placed at a lower figure as compared with the revised estimate for 1918-19.

EXPENDITURE.

Page 189.

45. As compared with the actuals of 1917-18, the larger provision in the current year's budget is intended to meet necessary repairs which for many years had been postponed on account of the financial stringency. The decrease in the revised estimate is chiefly under "Establishment" and is due to the revised method of distribution of establishment charges recently adopted under the orders of the Government of India.

The decrease in the budget estimate for 1919-20 is chiefly under maintenance and repairs of the Hijili Tidal Canal and is due to the absence of any provision for special repairs to the canal next year.

XXX and 43—Minor Works and Navigation.

Revenue.

Page 20.

	Actuals—			Budget estimate, 1918-19	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16	1916-17.	1917-18.			
In charge of the Civil Department—	Rs.	Rs	Rs	Rs	Rs	Rs
Recoveries on account of lands benefited by embankments.	52,815	49,879	44,256	50,000	50,000	58,000
Provincial share (one-half) ...	26,407	24,940	22,128	25,000	25,000	29,000
Total in charge of the Public Works Department.	6,27,729	7,84,497	8,47,392	7,60,000	10,00,000	10,00,000
Provincial share (one-half) ...	3,13,865	3,92,248	4,23,696	3,80,000	5,00,000	5,00,000

Expenditure.

Page 190.

	Actuals—			Budget estimate, 1918-19	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16	1916-17.	1917-18.			
	Rs.	Rs	Rs.	Rs	Rs.	Rs.
In charge of Civil officers ...	2,044	1,705	1,579	2,000	2,000	2,000
Provincial share (one-half) ...	1,022	852	790	1,000	1,000	1,000
In charge of Public Works officers—						
Works	5,99,379	6,39,337	5,40,662	9,38,050	12,22,140	18,86,450
Repairs	10,67,117	7,86,349	11,16,808	11,09,765	11,13,339	7,97,930
Establishment ...	5,23,913	4,97,752	5,41,403	5,49,500	5,78,120	6,41,500
Other items	1,04,041	78,981	1,44,264	1,02,685	—79,599	1,80,120
Total ...	22,94,450	20,02,419	23,43,137	27,00,000	28,34,000	35,06,000
Provincial share (one-half) ...	11,47,225	10,01,210	11,71,568	13,50,000	14,17,000	17,53,000

REVENUE.

Page 20.

46. The large increase in the revised estimate as compared with the sanctioned estimate for the current year, is due in part to the increase in water-borne goods traffic consequent on the scarcity of railway wagons, and in a large measure to the increased traffic in the Madaripur Bil Canal. The estimate for next year follows the revised estimate for the current year.

Page 190.

EXPENDITURE.

47. The revised estimate for the current year is higher by Rs. 1,34,00 than the sanctioned estimate for the year 1918-19, and is mainly du to the transfer to this head of a sum of Rs. 1,90,000 from the sanitatio grant for expenditure on anti-malarial drainage projects. The excess woul have been larger but for the credit of Rs. 89,000 on account of compensa tion awarded for the steam-tug "Dunnedaw" and two coal barges whic were taken over by the military authorities for service in Mesopotamia. Th large provision in next year's budget, as compared with the sanc tioned estimate for the current year, is due to provision for certain drainag projects, connected with anti-malarial measures, viz., Rs. 1 lakh for the Picha boni project, Rs. 1 lakh for the Amirabad and Rs. 50,000 for the Bullee B projects, for the improvement of waterways in the district of Dacca, and for th formation of a new Waterways Division for the management and developmen of the inland waterways in the districts of Khulna, Jessore, Faridpur an Bakarganj. Large provision has also been made for the continuance o the works already started, with a view to the investigation of the effect of floods in the Presidency, which includes Rs. 1,50,000 for the Hoorhoor Khal, and Rs. 1,00,000 for the Sagarputul Bexibazar escape. Othe items of importance are the provision of Rs 4,50,000 for widenin the Madaripur Bil route, a work of urgent necessity owing to its grea advantages as a route for steamers running to Cachar and Assam, an of Rs. 2,10,000 for creating a spill from the Bidyadhari river. Th coming year's estimate also includes provision for the partial canalizatio of Tolly's Nala, for the reconstruction of the Kidderpore bridge, and for th purchase of one steam-tug and barges as coaling plant for the dredger "Foyers" and "Alexandra" to replace the plant taken over by the militar authorities.

XXXI and 45—Civil Works.

Page 20.

Revenue.

	Actuals—			Budget estimate, 1918-19.	Revised estimate, 1918-19	Budget estimate 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In charge of the Civil Department.	1,46,492	2,90,949	1,38,959	1,58,000	1,40,000	1,69,000
In charge of the Public Works Department.	4,72,054	5,66,507	4,79,016	4,66,000	5,65,000	5,55,000
Total ...	6,18,546	8,57,456	6,17,975	6,24,000	7,05,000	7,24,000

Page 190.

Expenditure.

	Actuals—			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budget estimate 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In charge of Civil officers ...	20,24,208	7,84,342	12,24,603	12,49,000	11,83,000	15,64,000
In charge of Public Works officers.	67,82,385	56,55,383	77,95,690	84,88,000	95,00,000	1,13,00,00
Total ...	88,06,593	64,39,725	90,20,293	97,37,000	1,06,83,000	1,28,64,00

REVENUE.

48. *Civil Works in charge of Civil Officers.*—The bulk of the revenue under this head is from tolls. Considering the first nine months' actuals the revised estimate has been fixed at Rs. 1,40,000. The budget estimate of Rs. 1,69,000 for the coming year allows for normal expansion. Page 20

Civil Works in charge of Public Works Department.—The large increase in the revised estimate is mainly due to the payment of Rs. 24,000 by the Calcutta Corporation as the difference in the value of Government and Corporation lands exchanged in connection with the improvement and extension of the Campbell Hospital, of Rs. 25,000 in part payment of the cost of the site of the Police outpost at Kalighat, taken by the Corporation, and Rs. 19,000 on account of arrear recovery from the Port Commissioners of Calcutta of the half-yearly rent of the Strand Bank land. The estimate for 1919-20 includes the balance of Rs. 55,000 payable by the Corporation of Calcutta for the Kalighat Police outpost site and provides for normal expansion.

EXPENDITURE.

Pages 191 and 192.

49. *Civil Works in charge of Civil Officers.*—Commissioners of divisions and Collectors of districts have been empowered, with reference to the recommendations of the Decentralization Commission, to make discretionary grants for general purposes of a public nature calculated to be of benefit to their districts. The expenditure so incurred is budgetted for under this head in the first instance, and the actual charges incurred are subsequently adjusted to the appropriate heads of accounts.

The estimate for the coming year includes the following :—

	Rs.
Augmentation grant	8,04,114
Grant to the Calcutta Improvement Trust ...	1,50,000
Special grants at the disposal of Divisional Commissioners and District Collectors ...	1,52,000
Imperial grant for the improvement of the port of Chittagong	3,25,000

Civil Works in charge of Public Works Department.—The increase in the revised estimate is more apparent than real, as it is mainly due to the transfer to this head of allotments from other heads for new works and for works in progress of the Police, Education and other departments. The large increase in the estimate for 1919-20 is mainly due to larger provision for urgent new works, for works in progress, for repairs and for minor works. The table below shows the position :— Page 192.

	Budget, 1918-19	Budget, 1919-20
	Rs.	Rs.
Establishment ...	12,00,000	12,40,000
Tools and Plant ...	60,000	50,000
Stock and Suspense ...	10,000	10,000
Repairs ...	28,00,000	32,00,000
Works in Progress ...	19,00,000	33,80,000
New Works (including Minor Works).	25,18,000	34,20,000
	84,88,000	1,13,00,000

Provision for buildings in connection with the Police reorganiza schemes has hitherto been made under "20—Police", but from next such provision will be made under this head. Next year's provision works in progress includes Rs. 3,80,000 on this account. Owing to economy the expenditure on repairs has been kept down to the minimum du the past three years, and the larger provision for the purpose in the year's budget, is to make up in part for the deficiencies thereby cau A list of new works for the next year is annexed.

TRANSFER BETWEEN IMPERIAL AND PROVINCIAL REVENUES.

[All Adjustments between Imperial and provincial Funds are recorde the revenue side of the accounts under the above. Transfers f provincial to Imperial (+) and from Imperial to provincial (−).]

	Actuals—			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budg Estim 1919
	1915-16.	1916-17.	1917-18.			
RECURRING.	Rs.	Rs.	Rs.	Rs	Rs.	Rs
Ordinary.						
Fixed adjustment under provincial settlement.	+7,28,000	+7,28,000	+7,28,000	+7,28,000	+7,28,000	+7,28
Cost of transmission of records by revised procedure under Court Fees Act.	−6,440	−6,440	−6,440	−6,000	−6,000	−6
Pension of Mohamahopadhaya and Shams-ul-Ulama title-holders.	−2,700	−2,700	−2,700	−3,000	−3,000	−3
For traffic registration office, Bhairab Bazar.	−1,250	−1,250	−1,250	−1,000	−1,000	−1
For adjustment of recovery claims of charges incurred by the Agent Government Consignments, not exceeding Rs. 15.	−12,940	−10,009	−10,800	−11,000	−11,000	−11
For amalgamation of the office of the Arts section of the Indian Museum with that of the School of Art.	−1,190	−1,190	−1,190	−1,000	−1,000	−1
For Belgachia Veterinary College	−30,000	−30,000	−30,000	−30,000	−30,000	−30
For Indian Deputy Sanitary Commissioners and half pay of Health Officers.	−58,200	−58,200	−58,200	−58,000	−58,000	−58
For provincialization of expenditure on account of salaries of officers of the Civil Veterinary Department.	−29,307	−29,307	−29,307	−29,000	−29,000	−29
For remission of certain recoveries from local bodies.	−25,881	−25,881	−25,881	−26,000	−26,000	−26
Assignment for cost of supply of forms and printing work done for Bihar and Orissa Government.	−64,424	...	...	...	...	...
For forms, etc., for Assam ...	−1,86,420	−1,70,730	−1,33,107	−1,90,000	−1,46,000	−1,55,
Assignment for remission of appropriation of cesses.	−24,93,000	−24,93,000	−24,93,000	−24,93,000	−24,93,000	−24,93,
Law charges for Bihar and Orissa.	+15,000	+15,000	+15,000	+15,000	+15,000	+15,
For premises No. 9, Hare Street	+9,550	+9,550	+9,550	+9,000	+9,000	+9,
For grants for Collegiate and University expenditure in Bihar and Orissa.	+21,000	+21,000	+21,000	+21,000	+21,000	+21,
Classification of rewards on confiscation of opium under "7—Excise" (Government of India, Finance Department, No. 171A., dated the 16th March 1916).	−20,500	−20,500	−20,500	−21,000	−21,000	−21,

	Actuals—			Budget estimate, 1918-19	Revised estimate, 1918-19.	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18			
RECURRING—*continued.*	Rs.	Rs.	Rs	Rs.	Rs.	Rs.
Ordinary—*concluded.*						
Contribution to Bihar and Orissa for training of shoals in the Ganges (Government of India, Finance Department, No. 125A., dated the 28th February 1916).	+12,500	+12,500	+12,500	+12,000	+12,000	+12,000
Provincialization of the amalgamated establishment employed in the audit of accounts of local authorities, etc. (Government of India, Finance Department, No. 1705A., dated the 25th October 1918).	- 8,000	- 10,850	- 19,200	- 22,000	- 17,000	- 30,000
In connection with the new scheme of taxation.	...	+39,00,000	+50,64,000	+55,72,000	+60,00,000	+64,50,000
In connection with the loss in income-tax revenue necessitated by the changes in taxation.	...	...	...	...	...	- 26,25,000
For establishment of High Court at Bankipore (Government of India, Finance Department, No. 520 F., dated the 25th March 1916)	...	+2,17,468	+1,86,241	+2,17,000	+1,86,000	+1,86,000
Earmarked.						
Grants to Church Mission Society College, Calcutta (Government of India, Finance Department, No 115 F., dated the 27th October 1913)	- 6,000	- 6,000	- 6,000	- 6,000	- 6,000	- 6,000
For aided English Secondary Schools (Government of India, Finance Department, No 227 F., dated the 18th July 1912)	- 1,50,000	- 1,50,000	- 1,50,000	- 1,50,000	- 1,50,000	- 1,50,000
Improvement of female education (Government of India, Finance Department, No 1111 F., dated the 24th October 1913).	- 30,000	- 30,000	- 30,000	- 30,000	- 30,000	- 30,000
For popular education (Government of India, Finance Department, No. 565 F., dated the 31st December 1912)	- 9,25,000	- 9,25,000	- 9,25,000	- 9,25,000	- 9,25,000	- 9,25,000
For University Reform (Government of India, Finance Department, No. 411 F., dated the 25th September 1912)	- 65,000	- 65,000	- 65,000	- 65 000	- 65,000	- 65 000
Grants for education (Government of India, Finance Department, No. 582 F., dated the 25th March 1916)	- 13,20,000	- 13,20,000	- 13,20,000	- 13,20,000	- 13,20,000	- 13,20,000
Further grant for education (Government of India, Finance Department, No. 582 F., dated the 26th March 1915).	- 1,50,000	- 1,50,000	- 1,50,000	- 1 50,000	- 1,50,000	- 1,50,000
For extension of education to poorer classes of the domiciled community, Calcutta (Government of India, Finance Department, No. 2253 F., dated the 2nd October 1912, and No. 461 F., dated the 15th October 1912).	- 40,000	- 40,000	- 40,000	- 40,000	- 40,000	- 40,000
Grants to the Dacca University (Government of India, Finance Department, No. 206 F., dated the 20th February 1913).	- 45,000	- 45,000	- 45,000	- 45,000	- 45,000	- 45,000
Grants to the Calcutta Improvement Trust (Government of India, Finance Department, No. 1913 F., dated the 25th March 1913).	- 1,50,000	- 1,50,000	- 1,50,000	- 1,50,000	- 1,50,000	- 1,50,000

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19.	Budge estimat 1919-2
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
RECURRING—*concluded.*						
Earmarked—*concluded.*						
Assignments for sanitary improvements (New Bengal) (Government of India, Finance Department, No. 582 F. dated the 26th March 1915).	- 5,00,000	- 5,00,000	- 5,00,000	- 5,00,000	- 5,00,000	- 5,00,0
For improvement of pay and training of teachers.	...	...	- 9,00,000	- 9,00,000	- 9,00,000	- 9,00,0
For primary education (Government of India, Finance Department, No. 819 F., dated the 26th March 1918)	...	...	...	- 5,50,000	- 5,50,000	- 5,50,0
Contribution from Bihar and Orissa towards pay of electrical staff.	- 7,572	...	...	...	...	...
Assignment for Lieut.-Colonel Sutherland's deputation for Serological enquiry	- 32,195	...	...	...	...	...
Assignment for adjustment of erroneous credit of the collections in Government estates under "Ordinary collections" in 1914-15 and 1915-16	...	- 1,65,722	...	...	...	...
NON-RECURRING.						
Ordinary.						
Contribution from Bihar and Orissa in connection with fishery experiments (Government of India, Finance Department, No. 775 A., dated the 1st August 1913).	...	...	- 2,457	- 6,000	- 5,000	- 3,00
Contribution to the Chittagong Port for five years from 1913-14 (Government of India, Finance Department, No. 358A., dated the 9th April 1913).	- 75,000	- 75,000	- 75,000	- 75,000	- 75,000	- 4,00,00
Earmarked.						
Assignment for famine relief scheme.	- 60,000	- 60,000	...	...	...	...
In connection with the scientific research by Dr. J. C. Bose (Government of India, Finance Department, No. 1514 E.B., dated the 11th November 1915, and No. 1250 E.B., dated the 7th September 1917).	- 39,650	- 31,609	- 34,225	- 38,000	- 38,000	- 38,00
Grants to the Dacca University (Government of India, Finance Department, No. 1668 F., dated the 2nd December 1914).	- 1,00,000	- 1,00,000	- 1,00,000	- 1,00,000	- 1,00,000	...
For water-supply in Midnapore	...	...	- 1,00,000	...	...	...
For building project of the Ranchi Lunatic Asylum.	...	...	+ 1,58,714	+ 6,00,000	+ 6,00,000	+ 2,37,000
For Bengal Publicity Board ...	...	...	..	...	- 1,50,000	...
For Director of Civil Supplies, Bengal.	...	...	...	...	- 47,000	- 50,000
For anti-malarial works ...	...	...	+ 35,000	...	+ 95,000	...

	Actuals.			Budget estimate, 1918-19.	Revised estimate, 1918-19	Budget estimate, 1919-20.
	1915-16.	1916-17.	1917-18.			
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
NON-RECURRING—*concluded*						
Earmarked—*concld.*						
In connection with improvements and repairs to Belvedere.	...	...	...	...	- 1,07,000	...
In connection with the investigation of the fibre resources of India by the Bengal Fibre Expert.	...	...	...	...	...	- 6,000
Expenditure on agricultural education.	...	...	...	...	- 1,80,000	...
Loss in exchange for the purchase of quinine at Java.	...	...	...	...	- 1,75,000	...
Total Transfers between imperial and provincial revenues.	- 58,49,619	- 17,69,861	- 11,94,252	- 7,67,000	- 8,84,000	- 31,59,000

50. The increase of Rs. 1,17,000 in the revised estimate as compared with the sanctioned estimate is mainly due to the payment by the Government of India to this Government of Rs. 1,50,000 for the Bengal War Publicity Board, Rs. 47,000 for the Director of Civil Supplies, Bengal, Rs 95,000 for anti-malarial works. Rs. 1,07,000 for improvements and repairs to Belvedere, Rs. 1,80,000 for agricultural education, and an assignment of Rs. 1,75,000 as compensation for the loss in exchange for the purchase of quinine at Java. Against these additional receipts must be set off the larger contribution from provincial funds to imperial revenues on account of the provincial share of the extra income-tax accruing from additional taxation.

Beyond the assignments from imperial revenues of Rs. 50,000 for the Director of Civil Supplies, Bengal, Rs. 6,000 to meet the cost of investigation of the fibre resources of India by the Bengal Fibre Expert, Rs. 3,25,000 for the improvement of the Port of Chittagong, Rs. 26,25,000 on account of the loss in income-tax revenue necessitated by the changes in taxation, and a larger payment to imperial revenues as the provincial share of the extra income-tax due to additional taxation, the assignment budget of the coming year calls for no remarks. No assignment will be made next year on account of the non-recurring grant to the Dacca University, the last assignment of the promised grant of a lakh each year for five years from 1914-15 having been paid this year.

J. DONALD,

Secy. to the Govt. of Bengal, Financial Dept.

The 12th March 1919.

List of Public Works Department New Works for 1919-20.

	Rs.
Acquisition of land for the new nurses' quarters, Medical College Hospital	4,30,600
Eye Hospital	2,00,000
Hygiene Institute	1,00,000
Nurses' quarters, Medical College Hospital... ...	2,00,000
Medical School at Burdwan	1,00,000
Construction of hostel, Kanchrapara	45,000
Extension of Dow Hill Giris' School, Kurseong ...	50,000
Hostel for Rajshahi College	50,000
Zilla School at Burdwan	50,000
Scheme for the development of Kalimpong... ...	2,50,000
Subdivisional Court buildings at Manikganj, Dacca ...	49,865
Reconstruction of the subdivisional buildings at Alipur Duars in Jalpaiguri	40,000
Improvement of Howrah Court latrines	19,826
Improvement of Alipur Court latrines	10,950
Racks for the Settlement office buildings at Berhampur	10,000
Provincial share of office building for the Survey Department	1,25,000
Quarters and office buildings for the Joint Registrar of Co-operative Societies, Naogaon	30,000
Construction of the Pabna District Farm buildings ...	20,000
New Hospital for Calcutta Police	2,00,000
Kotwali police-station buildings at Chittagong ...	17,562
Office for the Deputy Inspector-General of Police, Rajshahi Range, at Jalpaiguri	17,130
Construction of buildings at Shibchar police-station, Faridpur	16,000
New Police Hospital at Krishnagar	61,900
New Police Hospital at Suri	48,800
House for Political Agent, Hill Tippera	30,000
Combined liquor warehouse and ganja gola at Faridpur	18,273
Combined liquor warehouse and ganja gola at Barisal...	9,298
New liquor warehouse at Mymensingh	9,361
Combined liquor warehouse and ganja gola at Diamond Harbour	5,866
Additional Sessions Court and Additional Munsifs' Court at Bogra	37,500
Civil Court at Burdwan	87,000
Residence for Additional Sessions Judge, Bogra, and four Munsifs	50,000
Residence for four Munsifs at Satkhira, Khulna ...	
Residence for three Munsifs at Bagerhat, Khulna ...	
Construction of separate cells at Rajshahi Central Jail...	8,000
Rebuilding of the cells at Bankura Jail	7,228
Construction of undertrial wards, Brahmanbaria Sub-Jail	15,160
Extension of Natore Sub-Jail	5,100
Extension of Barrackpore Sub-Jail	32,100
Construction of a hospital at Faridpur Jail... ..	15,000
Extension of the Barisal Sadar Registration office building	28,830
Extension of the Howrah Sadar Registration office building	21,000
Sub-Registry office at Barhatta in Mymensingh ...	6,707
Protection of river bank at Surdah for protection of Police Training School	50,000
Improvement of Duars Road, Jalpaiguri	2,00,000
Laying Maidan Roads, Calcutta, with tar-macadam metalling	1,00,000
Construction of a footpath along the east side of the Jail Road on the Calcutta Maidan	11,344

... schemes which have been provided for in the budget.

Major budget head and sub-head under which provision has been made	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
3.—Land Revenue.		Rs.	Rs	Rs.	Rs	Rs.	Rs.	
Management of Government Estates.	Reclamation work in the 24-Parganas Sundarbans.	...	25,000	25,000	...	25,000	25,000	In view of the excellent results obtained by a system of colonization of the Bakarganj Sundarbans, it has been decided that future settlements of waste lands in the 24-Parganas Sundarbans should ordinarily be made raiyatwari. A definite scheme for this purpose has not yet been received from the Board. The Collector (Mr. Prentice) suggested that an annual grant of Rs 25,000 may be made for the work.
	Total ...	...	25,000	25,000	...	25,000	25,000	
7.—Excise.								
Presidency Establishment—Inspection and Prevention, Salaries.	Appointment of a Prosecutor in Excise and Salt cases, Calcutta.	...	6,000	6,000	...	2,460	2,460	The prosecution work has hitherto been done by an Inspector of Excise and Salt, but lately a special post has been created on Rs. 175—15—400—25—500 for this work, while the post of an Inspector of Excise and Salt has been abolished.
District Executive Establishment, Inspection and Prevention, Temporary Establishment.	Employment of an Excise establishment in the areas in which the tree tax system has been introduced	2,520	...	2,520	2,520	...	2,520	The tree tax system has already been introduced in Sadar and Serampore Subdivisions of the Hooghly District and the whole of the Howrah District (with the exception of the areas included in the Calcutta District), and three Sub-Inspectors of Excise on Rs. 50 each and six peons on Rs. 10 each have been employed in this connection for a period of three years.
Ditto ditto ...	Employment of an excise establishment to supervise the wine factory recently started at Russa Road, Calcutta.	960	...	960	960	...	960	One Sub-Inspector of Excise on Rs. 50 and three peons on Rs. 10 each have been employed for one year to supervise the working of this new wine factory.

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
7.—Excise—*concluded.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
District Executive Establishment—Inspection and Prevention, Temporary establishment.	Employment of female excise preventive officers to detect smuggling of exciseable articles by women employed by smugglers.	2,880	...	2,880	2,880	...	2,880	For the employment of four female excise preventive officers on Rs. 50 each a month, with an orderly on Rs. 10 a month under each, on railways, to search exciseable articles carried by women who are employed by smugglers
Presidency Establishment, Contingencies.	Telephone charges ...	...	300	300	...	300	300	This is intended for a telephone which it is proposed to instal at the private residence of the Second Superintendent of Excise in charge of Prevention and Inspection at Calcutta.
Distilleries, District Establishment, Contingencies.	Petty construction and repairs.	5,000	...	5,000	5,000	...	5,000	Required for the construction of residential quarters for Excise officers
	Total ...	11,360	6,300	17,660	11,360	2,760	14,120	
10.—Income-tax—Mufassal Assessing Establishment.	Appointment of additional assessing establishment in the Rajshahi Division.	...	9,366	9,366	...	7,422	7,422	Formerly there were four income-tax assessors in the Rajshahi Division. In consequence of the increase of work under the new Income-tax Act, the following additional assessing staff has been sanctioned by Government :— 3 Assessors on Rs. 75—2—125 each a month. 3 Assessors' clerks on Rs. 30 each a month. 6 Assessors' peons on Rs. 9 each a month. *Travelling allowance—* Assessors at the rate of Rs. 70 each a month. Assessors' clerks at the rate of Rs. 8 each a month. Assessors' peons at the rate of Re. 1-8 each a month.

								For Jalpaiguri Division 5,000
Establishment ...	Appointment of two extra Assistant Conservators.	...	6,000	6,000	...	6,000	6,000	The Secretary of State has sanctioned this.
	Total ...	24,000	6,000	30,000	24,000	6,000	30,000	
12 —Registration — District Charges.	Creation of three additional appointments in grade V of Sub-Registrars	...	1,800	1,800	...	1,800	1,800	The scheme was sanctioned in Government order No. 971T —R., dated 13th September 1918.
	Creation of three additional appointments of probationers.	...	1,080	1,080	...	1,080	1,080	
	Revision of the strength and pay of the ministerial establishments of district headquarters and rural registration offices in Bengal.	...	1,37,780	1,37,780	...	48,012	48,012	The scheme was sanctioned by the Secretary of State in 1916 but effect could not be given on account of financial stringency. To give partial relief it is proposed to sanction an increase of 20 per cent. on the pay of the ministerial staff in the sadar and mufassal offices. The details of the scheme are — (*i*) Revision of establishments in the headquarters offices on the basis of actual requirements so as to increase the total strength and the rates of pay (*ii*) Raising the pay of the clerks and muharrirs employed in the headquarters joint offices from Rs. 20 and Rs. 15 to Rs. 30 and Rs. 25 per mensem, respectively. (*iii*) Enhancement of pay of clerks and muharrirs employed in the mufassal registration offices from Rs. 20 and Rs. 15 to Rs. 25 and Rs. 20 per mensem, respectively. (*iv*) Payment to temporary muharrirs employed in registration offices at Rs. 20 instead of at Rs. 15. (*v*) Employment of paid probationers on Rs. 10 per mensem, the sanctioned number for each district being fixed at 8½ per cent. of the total permanent establishment in it.
	Reorganization of the Registration Department.	...	11,000	11,000	...	11,000	11,000	To introduce scheme for District Registrars on lines of Madras system
	Total ...	...	1,51,660	1,51,660	...	61,892	61,892	

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total	
1	2	3	4	5	6	7	8	9
18.—General Administration.		Rs.	Rs.	Rs.	Rs	Rs.	Rs.	
Civil offices of Account and Audit.	Revision of establishment of the out-side Accounts Department.	...	12,000	12,000	...	12,000	12,000	Government of India will reimburse this Government equivalent assignment
Tour expenses ...	Construction of a new metre gauge bogie saloon for the use of His Excellency the Governor.	35,000	...	35,000	35,000	...	35,000	The provision is to replace the present saloon, which is very old and uncomfortable, by a new metre gauge bogie saloon.
Legislative Department ...	Increase of salary of Assistant Secretary	...	980	980	...	600	600	An increase in the salary of the Assistant Secretary from Rs. 500—50—750 to Rs. 600—50—1,200 per mensem, and to allow the present incumbent to draw Rs. 800 per mensem, has been recommended to the Government of India.
	Total ...	35,000	12,980	47,980	35,000	12,600	47,600	
19A.—Law and Justice—Courts of Law.								
Administrator-General and Official Trustee.	Establishment for House-Property Department.	...	5,208	5,208	...	5,208	5,208	For Administrator-General's office :—

		Rs
1 Clerk	...	150
1 Do.	...	75
1 Do	...	50
2 Sarkars (20)	...	40

For Official Trustee's office :—

		Rs	A.
1 Clerk	...	85	0
1 Durwan	...	21	8
1 Do.	...	12	8

								1 Assistant Bench Clerk... 40 1 After-judgment clerk ... 30 4 Peons (8) ... 32 1 227 a month or Rs. 14,724 per annum.
Ditto	ditto	...	Additional establishment for the Small Cause Court, Calcutta.	...	2,088	2,088	...	2,088	2,088	Rs. 1 Clerk ... .. 40 1 Do ... ... 35 1 Do. ... ... 30 3 Apprentices (15) ... 45 3 Peons (8) ... 24 174 a month or Rs. 2,088 per annum.
High Court	...	...	Grant of shorthand allowance to clerks.	...	1,080	1,080	...	1,080	1,080	The grant of a shorthand allowance of Rs. 30 per month each to 3 clerks of the Appellate side has been sanctioned by the Government of India.
			Establishment for copying work, Appellate Side.	...	2,160	2,160	...	2,160	2,160	2 clerks on Rs. 50 2 ,, on ,, 40.
District and Sessions Courts			Establishment for Civil Courts, Noakhali.	...	3,360	3,360	...	3,360	3,360	The following establishment has already been sanctioned :— Rs. 4 Clerks (40) ... 160 4 Do. (30) ... 120 280 per mensem or Rs. 3,360 per annum.
			Improvement of pay and prospects of the officers of the Provincial Judicial Service	...	5,40,000	5,40,000	...	1,25,000	1,25,000	The provision is to give partial effect to the revision of the pay of munsifs referred to recently in a Resolution published by this Administration on the subject in connection with the Report of the Public Services Commission. The ultimate cost shown is an approximate estimate as the scheme has not yet been fully worked out.
High Court		...	Personal allowance to Senior Bench Clerk, Appellate Side.	...	600	600	...	600	600	A remunerative personal allowance of Rs. 50 per mensem has been sanctioned by the Government of India to the Senior Bench Clerk for performing the court work of an Assistant Registrar, Original Side (whose post was abolished), in addition to his own duties.

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
19A—Law and Justice—Courts of Law.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
High Court	Additional establishment for the reorganisation of the record-rooms on the Appellate Side	10,586	13,788	24,374	10,000	14,000	24,000	The details are :— Rs. For Record Department ... ... 3,232 „ English office ... ... 3,628 „ Judicial Department ... ... 6,928 13,788 For re-arrangement of record racks ... 10,586 Total ... 24,374 The proposal has been submitted to the Government of India for sanction and a lump provision of Rs. 24,000 has been made.
District and Sessions Courts.	Establishment under District Judge, Mymensingh.	...	3,360	3,360	...	3,360	3,360	Following additional establishment has been already sanctioned :— Rs. 4 Clerks (40) ... 160 4 Do. (30) ... 120 280 per mensem or 3,360 per annum.
Ditto ..	Appointment of a shorthand typist for District Judge,	...	720	720	...	720	720	A shorthand typist on Rs. 60 per mensem was sanctioned from 1st April 1918

		Rs. 100 per mensem in the office of Inspector-General of Prisons for confidential work.						The post sanctioned with effect from 9th September 1918.
Medical Establishment	...	Allowance to Sub Assistant Surgeon in charge of Tuberculosis Ward, Comilla Jail.	...	240	240	...	240	240	Already sanctioned
Ditto	...	Two temporary compounders at Rangpur and Comilla Jails.	...	810	810	...	768	768	(Pay Rs. 15 –1—20 + Rs. 5 jail allowance and Rs 10 house allowance.)
Ditto	...	Opening of a new Sub-Jail at Sherpur in Mymensingh district.	...	1,176	1,176	...	1,104	1,104	1 Sub-Assistant Surgeon at Rs. 10 ... Rs. 120 1 Clerk at Rs 20 ... ... 240 1 Head Warder at Rs 18 ... ... 216 4 Warders at Rs. 11-14 ... ... 600 Total ... 1,176
Jail manufactures	...	Establishment of a Central Depôt for the distribution of quinine, Juvenile Jail.	...	2,740	2,740	...	2,400	2,400	1 Head Clerk at Rs 80—4—100 2 Clerks at Rs 50—1—60 each 2 Peons at Rs. 10 each.
Ditto	...	One temporary task-taker at Rajshahi Central Jail.	...	360	360	...	360	360	
Ditto	...	One temporary bee-keeper at Darjeeling.	...	144	144	...	144	144	
Ditto	...	Employment of a temporary clerk at Jail Depôt, Calcutta.	...	300	300	..	300	300	This is necessary to cope with increased work.
		Total ...	...	6,970	6,970	...	6,516	6,516	

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
20.—Police.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Presidency Police ...	Revision of pay of the two buglers of the Police Training School, Dullanda.	...	36	36	...	36	36	The pay has been raised from Rs. 13 each to Rs. 13 to 16 by an increment of Re 1 after 3, 10, and 17 years of service
	Duty allowance to electric mistri for electric pump installation at No. 55-58, Ezra Street.	...	36	36	...	36	36	The allowance of Rs. 3 per mensem has already been sanctioned.
	Grant of personal allowance to clerks of the office of the Commissioner of Police.	...	1,620	1,620	...	1,620	1,620	The following personal allowances have been sanctioned to the upper grade assistants of the office of the Commissioner of Police drawing same pay for over 5 years — 1 Assistant on Rs. 200 ... 40 1 ditto „ 150 ... 30 1 ditto „ 125 ... 25 1 ditto „ 100 ... 20 1 ditto „ 100 ... 20 135 × 12 = 1,620
	Reorganisation and extension of the Indian Traffic Police in Calcutta	9,968	14,582	24,550	9,968	14,582	24,550	The scheme has been sanctioned. The operation of the Improvement Trust and the general extension of motor car traffic make imperative to extend the Traffic Police in both the north and south districts. The financial effect is given below :— *Recurring*— Rs A. 22 head-constables, 4 (26), 9 (21), and 9 (18½) ... ... 459 8 Duty allowance of Rs 2 each to 34 head constables ... 68 0 Duty allowance of Rs. 2 each to 396 constables ... 792 0 Contingencies at 10 per cent. of pay 46 0

							308
						Non-recurring—	14,582
						Initial first kit, 22 head-constables (44) ... 968	
						Motor-cycles, 6 (1,500) ... 9,000	
							9,968
Changes in the supervising and controlling staff of the Calcutta Police.	...	3,220	3,220	...	3,220	3,220	At present there are 6 Assistant Commissioners (Provincial) and 3 Superintendents (Provincial) and 1 Assistant Commissioner (Imperial). For the Imperial Assistant Commissionership one Provincial Assistant Commissioner has been substituted and 3 appointments of Assistant Commissioners (Provincial) have been created in lieu of 3 Superintendents. One appointment of Deputy Commissioner is now reserved for a promoted officer from the provincial cadre. Rs. A. P. Present charge ... 6,798 5 4 Proposed charge ... 7,066 10 8 Increase ... 268 5 4 per month or Rs. 3,220 per annum.
Additional police staff in connection with the loading and unloading of petroleum from vessels at Budge-Budge.	604	4,427	5,031	604	3,797	4,401	The details are— Rs. A. 1 Sergeant (100—5—125) ... 100 0 2 Head-constables, 1(21), 1(18-8) ... 39 8 10 Constables (13—16) ... ... 130 0 Total ... 269 8 per month or 3,234 per annum Contingencies at 10 per cent. of pay ... ... 323 Miscellaneous allowance, 1(20) ... 240 3,797 Initial first kit— Rs. 1 Sergeant ... ... 216 2 Head-constables (44) ... 88 10 Constables (30) ... ... 300 604 The usual contribution will be paid by the Port Commissioners.

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
20.—Police—*continued.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Presidency Police ...	Additional staff in connection with the Public Vehicles Department.	848	39,216	40,064	848	39,152	40,000	Under the Act just passed the control of hackney carriages palanquins, etc., will be transferred from the Corporation of Calcutta to the Commissioner of Police. To give effect to the proposal following additional staff, executive and ministerial, will be required :—
								Rs 1 Deputy Commissioner ... 1,200 [Pay (700), conveyance allowance (150), local allowance (100), accommodation (250)]. 1 Assistant Commissioner 600 [Pay (400), conveyance allowance (75), accommodation (125)]. 1 Inspector [Pay (200), conveyance allowance (25), accommodation (60)]. 285 2 Sergeants, 1 (100), 1 (130), conveyance allowance, 2 (20), accommodation, 2 (50). 370 4 Head-constables, 1 (26), 1 (21), 2 (18½), accommodation (50). 134 8 Constables (14½), accommodation (50). 166 2,755 Contingencies at 10 per cent. ... 173 2,928 × 12 = 35,136 5 clerks, 1 (80), 1 (70), 2 (60), 1 (50) and 2 peons (10) ... 340 × 12 = 4,080 39,216
	Construction of a steam-launch to replace the	40,000	...	40,000	40,000	...	40,000	Clothing 2 (216), 4 (44), 8 (30) = 848

							Rs. A. Proposed cost ... 4,12,265 12 Present ,, ... 3,09,048 15 Increase ... 1,03,216 13 A lump provision of Rs 50,000 is proposed to meet probable requirements.
	Total Presidency Police	56,420	1,66,354	2,22,774	56,420	1,12,443	1,68,863	
District Police ...	Crew for four thana launches.	...	9,280	9,280	...	9,280	9,280	This has been sanctioned Rs. A. P. Rs. A. P. 1 Serang ... ... 36 10 8 1 Sukhani ... ... 22 0 0 1 Kassaub ... ... 15 0 0 1 Sweeper ... ... 14 0 0 1 Driver ... ... 36 10 8 1 Engine-room kassaub ... 20 0 0 1 Fireman and greaser ... 17 0 0 1 Lascar ... ... 17 0 0 1 Fireman ... ... 15 0 0 193 5 4 × 4 × 12 = 9,280 0 0
	Revision of the rates of pay of Imperial Police officers.	...	2,50,000	2,50,000	...	2,50,000	2,50,000	This has already been sanctioned by the Secretary of State.
	Crew for one thana (oil) launch.	...	1,897	1,897	...	1,739	1,739	The oil launch has been sanctioned and following crew is necessary. — Rs. A. P. Rs A. P. 1 Serang ... ... 30 0 0 1 Driver ... ... 50 0 0 1 Assistant driver ... 30 0 0 1 Lascar ... ... 13 0 0 1 Lascar ... ... 11 0 0 134 0 0 Contingencies ... 13 6 4 Travelling allowance ... 10 11 6 158 1 10 × 11 = 1,739 4 2

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring	Total.	
1	2	3	4	5	6	7	8	9
20.—Police—*continued.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
District Police—*continued*...	Raising the number of head-constables in Eastern Bengal to ultimate strength.	1,672	12,126	13,798	...	12,126	12,126	In force from 1st April 1918. Rs. A. P. Rs. A. P. 7 Head-constables (22-8) ... 157 8 0 12 Ditto (20) ... 240 0 0 25 Ditto (17-8) ... 437 8 0 Contingencies at 10 per cent. 83 8 0 Travelling allowance at 8 per cent ... ... 66 12 9 985 4 9 × 12 = 11,823 9 0 First kit, maintenance of clothing and accoutrements ... 302 0 0 12,125 9 0
	Entertainment of 31 additional constables for employment as armourers.	1,178	6,601	7,779	...	6,601	6,601	In force. The force is entertained in Dacca, Chittagong, Darjeeling, Howrah and the 24-Parganas. Rs. A. P. Rs. A. P. 31 Constables (12-8) ... 387 8 0 8 Local allowance (1) ... 8 0 0 19 Armourers' allowance (3) 57 0 0 5 Ditto (2) ... 10 0 0 Contingencies ... 38 12 0 Travelling allowance ... 31 0 0 532 4 0 × 12 = 6,387 0 0 First kit, maintenance, etc 214 0 0 6,601 0 0
	Entertainment of 58 additional constables for raising the number of constables in Eastern Bengal districts to the ultimate scale.	2,233	9,854	12,087	...	9,854	9,854	In force from 1st July 1918. Rs. A. P. Rs. A. P. 58 Constables (11-8) ... 667 0 0 Contingencies ... 66 11 2 Travelling allowance ... 53 5 9

Commissioned officers and sepoys of the Dacca Military Police deputed for guard duty at Jails.							annas 4 each per diem.
Supply of pure drinking water to the Police force stationed at Bally and Belur in the district of Howrah.	630	404	1,034	630	404	1,034	The scheme was sanctioned from 1st April 1918 but could not be introduced for want of funds.
Appointment of an Assistant Surgeon for the Howrah Police Hospital.	...	2,328	2,328	...	2,328	2,328	In force. Pay of Assistant Surgeon ... Rs. 224 House-rent ... ... 50 Rs. 274 *Deduct* pay of Sub-Assistant Surgeon ... ... 52 House rent ... ... 28 80 194 × 12 = 2,328
Revision of scale of crew of police launches and their rates of pay.	...	1,649	1,649	...	1,649	1,649	The general scheme regarding the uniformity in the manning scale and of pay of crew of Government launches has already been sanctioned by the Marine Department. The present revision is in accordance with this order.
Increase in the rate of personal allowance of Head Assistant, Bengal Police office, from Rs. 50 to Rs. 60 per mensem.	...	120	120	...	120	120	In force.
Redistribution of the areas of kotwali and double moorings police stations and establishment of a new police-station at Pachalais in Chittagong district.	779	2,252	3,031	...	2,252	2,252	In force from August 1918. 2 Head-constables (20 and 17-8) ... ... Rs. 37 A. 8 P. 0 Constables (11-8) ... 115 0 0 Local allowance ... 1 0 0 Contingencies ... 15 4 0 Travelling allowance ... 12 3 2 180 15 2 × 12 = 2,171 6 0 First kit, maintenance of clothing, etc ... 81 0 0 2,252 6 0

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.						
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.							
1	2	3	4	5	6	7	8	9						
20 —Police—*continued.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		Rs.	A.	P.		Rs.	A. P.
District Police—*continued.*	Addition to the permanent strength of the armed branch of the Chittagong District Police for guarding the railway cash office at Chittagong.	693	3,634	4,327	..	3,634	3,634	In force from 1st April 1918.						
								2 Head-constables (17-8)	35	0	0			
								16 Constables (12-8) ...	200	0	0			
								Local allowance ...	16	0	0			
								Contingencies	25	1	7			
								Travelling allowance ...	20	1	3			
									296	2	10 × 12 =		3,554	2 0
								First kit, maintenance of clothing, etc. ...					80	0 0
													3,634	2 0
	Raising the staff of the Serajganj police-station in the district of Pabna to its ultimate strength.	115	661	776	...	661	661	In force from 1st July 1918.						
								1 Head-constable ...	22	8	0			
								2 Constables (11-8) ...	23	0	0			
								Contingencies	4	8	9			
								Travelling allowance ...	3	10	3			
									53	11	0 × 12 =		644	4 0
								Maintenance of clothing and accoutrements ...					16	8 0
													660	12 0
	Creation of an additional appointment of Inspector in the C. I. D. in lieu of that of Sub-Inspector in charge of photo bureau.	...	1,884	1,884	...	1,884	1,884	In force from 1st October 1918.						
								Inspector	150	0	0			
								Local allowance ...	50	0	0			
								House allowance ...	30	0	0			
								Contingencies ...	15	0	0			
								Travelling allowance ...	12	0	0			
									257	0	0			
								Deduct present expenditure— Rs.						
								Inspector ... 50						

								Maintenance of clothing and accoutrements ...			5	8	0
											494	0	5
Entertainment of head-constables in charge of Police Training College Hospital, Sardah, and of 9 ward orderlies and abolition of 3 orderly constables.	38	1,456	1,494	...	1,456	1,456	In force from 1st July 1918.						
							1 Head-constable ...	20	0	0			
							9 Ward orderlies (11-8) ...	103	8	0			
							Total ...	123	8	0			
							Deduct pay of 3 orderly constables (11-8) ...	34	8	0			
								89	0	0 × 12 =	1,068	0	0
							Allowance of head-constables (5) ...				60	0	0
							Allowance of constables (2)				216	0	0
							Contingencies ...				106	12	9
							Maintenance of clothing and accoutrements ...				5	8	0
							Total ...				1,456	4	9
Grant of personal allowance at Rs. 15 per mensem to the senior Accountant in the office of the Intelligence Branch of the Criminal Investigation Department.	...	180	180	...	180	180	In force from 1st July 1918.						
Direct appointments to the post of Court Inspector up to a limit of 10 per cent. of the vacancies in a year.	...	2,200	2,200	...	2,200	2,200	In force						
							2 Probationary Inspectors under training (75)				1,800	0	0
							2 Probationary Inspectors in districts for January and February 1920 (100) ...				400	0	0
							Total ...				2,200	0	0
Raising the pay of Registrar, Intelligence Branch of the Criminal Investigation Department, from Rs. 400—20—600 to Rs. 500—20—700 per month.	...	1,200	1,200	...	1,200	1,200	In force from 1st July 1918.						

Major budget head and sub-head under which provision has been made	Nature of scheme.	Estimate of ultimate maximum cost. Non-recurring.	Recurring.	Total.	Estimate of Expenditure in 1919-20. Non-recurring.	Recurring.	Total.	Remarks.
1	2	3	4	5	6	7	8	9
20.—Police—*concluded.*		Rs.	Rs.	Rs.	Rs.	Rs	Rs.	
District Police—*concluded*...	Addition of four head-constables to the special armed force of Dacca and Jalpaiguri districts for deputation to military police battalions at Dacca and Buxa for conducting training of head-constables in drill.	160	1,155	1,315	...	1,155	1,155	In force from 1st October 1918. 4 Head-constables (17-8) ... 70 0 0 Allowance (3) ... 12 0 0 Contingencies ... 7 0 0 Travelling allowance ... 5 9 7 94 9 7 × 12 = 1,135 3 0 Allowance to Jamadar Adjutant ... 20 0 0 Total ... 1,155 3 0
	Raising the strength of the Dacca Military Police Battalion by the addition of a company.	23,041	32,207	55,248	...	32,207	32,207	Military force ... 1,327 0 0 Hospital establishment 15 0 0 Office establishment ... 300 8 11 Staff allowance ... 20 0 0 Signalling allowances ... 6 0 0 Compensation for dearness of provision ... 702 0 0 Line sweeper ... 313 5 4 Total ... 2,683 14 3 × 12 = 32,206 11 0
	Appointment of a temporary clerk at Rs. 125 a month in the office of the Inspector-General of Police.	...	1,500	1,500	...	1,500	1,500	In force. The clerk has been entertained to prevent possibility of double payments in respect of arrear salary bills of subordinate police officers and men.
	Appointment of a Sub-Assistant Surgeon for the Police Hospital at Comilla.	...	594	594	...	594	594	In force. Sub-Assistant Surgeon's duties were formerly shared between the jail and the police and he received a monthly allowance of Rs. 20 from this Department. A whole-time Sub-Assistant Surgeon has now been entertained. Rs. A. Rs.

	porary clerk on Rs 50 in the office of the Deputy Inspector-General, Criminal Investigation Department.	..			..			
	Entertainment of an assistant accountant and two extra clerks in the Howrah Police office.	...	1,440	1,440	...	1,440	1,440	1 Assistant Accountant ... Rs. 50 A. 0 P. 0 1 Clerk ... ... 40 0 0 1 Clerk ... ... 30 0 0 Total ... 120 0 0 × 12 = Rs. 1,440 A. 0 P. 0
	Lump provision for new telephone connections.	...	1,000	1,000	...	1,000	1,000	
	Total District Police ...	30,581	3,53,886	3,84,467	630	3,53,728	3,54,358	
	GRAND TOTAL ...	87,001	5,20,240	6,07,241	57,050	4,66,171	5,23,221	
21.—PORTS AND PILOTAGE.								
Salaries and allowances of officers and men afloat.	Appointment of mate pilots as chief officers and of outsiders as junior officers of the two pilot vessels	18,480	...	18,480	18,480	...	18,480	Owing to paucity of leadsmen apprentices, the exigencies of pilot service require that outsiders should be appointed as junior officers and mate pilots as chief officers to set free those leadsmen who might be employed as officers on board the two steam pilot vessels, so that they might have the requisite time to learn the river. Rs. 3 officers (400) ... 1,200 *Deduct* present provision 430 770 × 2 × 12 = 18,480
Marine establishment ...	Increase in the salary of 1st Engineer and Shipwright Surveyor.	..	2,400	2,400	...	2,400	2,400	An increase of the staff pay of Engineer-Commander Laslett from Rs. 450 to Rs. 650 has been recommended to the Government of India.
Ditto ditto ...	Employment of temporary Sub-Inspectors under Agent for Government Consignments.	...	1,500	1,500	...	1,500	1,500	The entertainment of temporary sub-inspectors for a week at a time to cope with the rush of work in taking over valuable consignments of specie, etc., has been sanctioned.
Subsidies to steam-boat companies	Increase of subsidy to the India General and Rivers Steam Navigation Companies for the supply of pilots to Government vessels.	...	1,500	1,500	...	1,500	1,500	The subsidy will be raised from Rs. 3,000 to Rs. 4,500 on account of the increased demand for pilots owing to the introduction of the river patrol system.

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
21.—Ports and Pilotage —*concluded.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Survey of steam-vessels at Calcutta.	Revision of steam-launch establishment.	...	936	936	...	936	936	This has been sanctioned and given effect to.
State yacht establishment	Ditto ditto ...	...	1,118	1,118	...	1,118	1,118	
Engineer and Shipwright Surveyor, Chittagong.	Ditto ditto ...	...	60	60	...	60	60	
State yacht establishment	Increase of pay of firemen and greasers of Government vessels.	...	72	72	...	72	72	The pay of the two firemen and greasers on Rs. 17 has been raised to Rs. 20 each.
Shipping Master ...	Cost of photographs of lascars.	...	10,000	10,000	...	10,000	10,000	This represents cost of photographs of lascars to be fixed on continuous discharge certificates for identification purposes.
Ditto ...	Entertainment of an additional temporary clerk.	...	480	480	...	480	480	
Branch Shipping Office, Kidderpore.	Appointment of a Superintendent	...	3,000	3,000	...	3,000	3,000	The proposal is to appoint a Superintendent in the Shipping Office, Kidderpore, on Rs. 250 a month.
Port Officer, Calcutta ...	Revision of office establishment.	...	1,140	1,140	...	1,140	1,140	These have not yet been sanctioned.
Shipping Master Calcutta	Ditto ditto ...	...	3,000	3,000	...	3,000	3,000	
Survey and steam-vessels, Calcutta.	Ditto ditto ...	...	540	540	...	540	540	
Agent for Government Consignments.	Ditto ditto ...	...	3,500	3,500	...	3,500	3,500	
	Total ...	18,480	29,246	47,726	18,480	29,246	47,726	

General—Art Colleges for boys.	in Mathematics, Rajshahi College						... mathematics, the present staff is inadequate to cope with the work. Hence an additional lecturer on Rs. 125 per month is necessary.
	Appointment of a lecturer in Philosophy and Logic, Dacca College.	...	2,400	2,400	...	2,400	2,400	
	Provision for extension of affiliation of Hooghly College in Philosophy and Economics	750	4,800	5,550	750	4,800	5,550	
Government Colleges—Professional—Civil Engineering College.	Appointment of an instructor in mechanical drawing in the Civil Engineering College, Sibpur.	...	9,300	9,300	...	4,500	4,500	The Government of India have been moved to sanction the creation of a post on Rs. 300—25—700 outside the graded service with free quarters at the College or a house-rent of Rs. 75 a month. The instructor will be required to teach both elementary and advanced machine-drawing and design to the College Diploma course up to the highest standard reached at British Technical Colleges. He will be required to supervise the teaching of drawing to artisans attending the College workshops, to assist the professors in preparing working drawing and machinery and laboratory equipment and may be called upon to draw up workshop estimates.
Ditto ditto ...	Appointment of a lecturer in architecture at the Civil Engineering College, Sibpur.	...	1,728	1,728	...	1,728	1,728	A Public Works Department officer is to be appointed to deliver lectures on architecture on a deputation allowance of one-fifth of his salary and conveyance allowance of Rs. 20 a month. Rs. Remuneration ... ... 1,488 Conveyance allowance ... 240 1,728
Government Schools—General—Secondary Schools for girls—High Schools.	Appointment of an additional teacher of English for Eden High School for girls.	...	720	720	...	720	720	The number of students having increased and some classes being split into two sections, the existing staff is overworked. Hence another teacher on Rs. 60 per month is necessary.
Government Schools—General—Zenana classes.	House allowance to Zenana Governesses and Mistresses.	...	8,520	8,520	...	8,520	8,520	Eight at Rs. 20 per month and 55 at Rs. 10 per month. The cost will increase with the increasing number of mistresses in view of the policy to replace male teachers in girls' schools by women teachers.
Government Schools—Special—Technical and Industrial Schools.	Allowance to Assistant Superintendent of the Rangpur Bayley Govindalal Technical School.	...	240	240	...	240	240	The duties of the Assistant Superintendent being analogous to those of High Schools, and technical schools being very important institutions, such allowance is necessary.

Major budget head and sub-head under which provision has been made.	Nature of scheme	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
22.—Education—*concld.*		Rs.	Rs	Rs.	Rs.	Rs.	Rs	
Government Schools—Special—Commercial Schools.	Appointment of an Indian Educational Service Principal in the Government Commercial Institute.	...	9,600	9,600	...	9,600	9,600	The Commercial Institute Board have recommended for a highly qualified Principal and Vice-Principal. The Government of India will have to be addressed and it is not sure when it will be possible to recruit a capable officer as Principal. The appointment of Vice-Principal will be taken up later on.
Government School—Special—Madrasahs.	Appointment of a teacher of English, Chittagong Madrasah.	...	600	600	...	600	600	On the introduction of the Madrasah reformed course, the appointment of the sixth English teacher on Rs. 50 is necessary.
Ditto ditto ...	Special Islamic Matriculation Examination	7,700	...	7,700	4,200	...	4,200	This is a sanctioned scheme representing the pay of 2 professors on Rs. 200 a month for 8 months and a library grant of Rs 1,000.
Ditto ditto ...	For furtherance of Madrasah Reform Scheme.	...	1,33,000	1,33,000	...	30,000	30,000	A sum of Rs 62,000 was given from the Imperial grant of 1½ lakh for improvement of Education and Rs. 25,000 from Provincial Revenues in 1917-18. An additional allotment of Rs. 30,000 is required in 1919-20.
Miscellaneous ...	Islamic Matriculation Examination charges.	2,290	...	2,290	940	...	940	This has been sanctioned
Ditto ...	Appointment of a Physical Adviser.	...	6,000	6,000	...	4,500	4,500	
Scholarships	Grant of stipends to the children of Indian soldiers.	...	2,000	2,000	...	2,000	2,000	The Government of India have formulated certain rules as guide to local Governments in the grant of concessions to meet the education of children of Indian soldiers. It has been decided to grant stipends at the following rates :— In primary schools ... ... Re. 1 to each boy. In high and middle English schools Rs. 2-8 ditto. In colleges ... ... „ 10 ditto.
	Total ...	10,740	1,85,628	1,96,368	5,890	76,148	82,038	

	in certain Civil Surgeons' offices	...	3,300	3,300	...	3,300	3,300	Clerks on Rs. 25—1—30 to be appointed in 11 stations.
Medical College Hospital ...	Revision of pay of the menials of the Medical College Hospital, Calcutta	..	8,754	8,754	...	8,754	8,754	This has already been given effect to.
General Hospital ...	Grant of Bacteriological allowance to the Civil Assistant Surgeon at the Presidency General Hospital.	...	840	840	...	240	240	An allowance at Rs. 100 to Rs. 150 has been sanctioned against the present local allowance of Rs. 50 *plus* house-rent allowance of Rs. 30.
Ditto ...	Revision of pay of the menials of the Presidency General Hospital.	...	3,216	3,216	...	3,216	3,216	This has been introduced.
Campbell Hospital ...	Revision of pay of the clerical establishment of the Campbell Hospital	...	1,260	1,260	...	300	300	This has already been given effect to.
Ditto ...	Appointment of two Emergency Officers for the Campbell Hospital.	...	2,748	2,748	...	2,748	2,748	Details are— Rs. 2 Sub-Assistant Surgeons (Rs. 69-8) .. 139 Local allowance (Rs. 25) ... ... 50 House-rent (Rs. 20) ... ... 40 Total ... 229 per month.
Ditto ...	Grant of war-allowance to the nurses of the Campbell Hospital.	...	5,000	5,000	...	5,000	5,000	Lump provision has been made. This has been sanctioned.
Mufassal Hospitals and Dispensaries.	Appointment of an additional mali for the Sambhunath Pandit Hospital.	...	120	120	...	120	120	This has already been sanctioned and given effect to
Ditto ditto ...	Appointment of an Itinerant Sub-Assistant Surgeon in the Chittagong Hill Tracts.	...	1,434	1,434	...	1,200	1,200	This has already been given effect to Rs. Pay ... ... 50 Local allowance ... 40 House-rent ... ... 10 Total ... 100 per mensem.
Ditto ditto ...	Payment of house-rent allowance to Itinerant Sub-Assistant Surgeon, Terai.	...	180	180	...	180	180	This has already been given effect to
Ditto ditto ...	Increase of pay of a servant of the Uttarpara Hospital.	...	36	36	...	36	36	This has already been sanctioned and given effect to.
Special Hospital ...	Employment of two additional nurses after the war.	...	1,500	1,500	...	1,140	1,140	Two nurses to be employed on Rs. 25—1—40 each per mensem with a diet allowance at As. 10 each per diem.
Grants to Hospitals and Dispensaries.	Increase of pay of the clerk of the Albert Victor Leper Asylum, Gobra.	...	24	24	...	24	24	The pay of the clerk has been raised from Rs. 30—2—40 to Rs. 40—2—60 per mensem.

Major budget head and sub-head under which provision has been made.	Nature of scheme	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
24A.—Medical—*concluded.*		Rs	Rs.	Rs.	Rs.	Rs.	Rs.	
Medical Schools and Colleges.	Revision of clerical establishment of the Medical College (appointment of an additional clerk and increase of pay of the Head and 2nd clerks).	...	1,200	1,200	...	1,200	1,200	This has been sanctioned.
Medical College ...	Appointment of an additional clerk for the Medical College, Calcutta.	...	840	840	...	840	840	This has already been sanctioned and given effect to.
Ditto ...	Revision of pay of the menials of the Medical College.	...	880	880	...	880	880	The pay of the menials of the Medical College Hospital has been revised lately and it is necessary therefore to revise the pay of menials on the College staff.
Medical Schools ...	Appointment of a teacher for the compounder class at Mymensingh.	...	994	994	..	994	994	This has already been given effect to. Rs A. Pay ... ... 69 8 Local allowance ... 20 0 House-rent ... 10 0 99 8
Hospitals and Dispensaries	Transfer of the Dacca Mitford Hospital as a State Institution.	...	20,000	20,000	...	20,000	20,000	
Medical College ...	Appointment of four additional chaprasis for the Medical College.	...	576	576	...	480	480	This has been sanctioned.
Medical Schools ...	Revision of pay of the clerical establishment of the Campbell Medical School.	...	1,140	1,140	...	420	420	This has already been given effect to
Lunatic Asylums ...	Revision of pay of the clerical establishment of the Berhampore Lunatic	...	600	600	...	72	72	This has been sanctioned.

							2 Ayahs on Rs. 11 each = 22 1 Tailor „ „ 10 = 10 1 Dhobi „ „ 10 = 10 1 Mehtar „ „ 15 = 15 1 Keeper „ „ 15 = 15 1 Mehtrani „ „ 15 = 15 = 87 × 12 = 1,044
	Total ...	...	2,06,796	2,06,796	...	2,02,578	2,02,578	
24B.—Sanitation ...	Provision for course of training to enable young medical men to take the Calcutta D. P. H. and so qualify for appointment as district health officers.	...	5,000	5,000	...	5,000	5,000	This is a part of public health programme which is to be undertaken.
	Enquiry into the hook-worm disease.	75,000	...	75,000	75,000	...	75,000	Salary of 3 special officers (1,200) ... ... 43,200 Travelling allowance ... ... 9,000 Two Sub-Assistant Surgeons with their travelling allowance ... ... 4,000 Laboratory Assistant ... ... 1,000 Clerical and menial establishment ... 2,600 Microscopes, apparatus and cost of experimental treatments ... ... 7,500 Other charges 7,700 75,000
	Kala-azar Survey ...	11,000	...	11,000	11,000	...	11,000	
	Appointment of a special officer to scrutinize college and school buildings from hygiene point of view.	...	6,500	6,500	...	4,500	4,500	
	For investigation of the river pollution.	25,000	...	25,000	25,000	...	25,000	A specially qualified officer with bacteriological knowledge will have to be employed. He will have to be supplied with a motor-launch.
	Construction of a cold storage room in the Vaccine Depôt.	28,000	...	28,000	28,000	...	28,000	Since the abolition of the Vaccine Depôt at Darjeeling, the lymph is stored at the Medical College. The present arrangement is a make-shift one and this reform is essential.

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
24B.—Sanitation—*concluded.*	Publicity Bureau ...	...	10,000	10,000	...	10,000	10,000	The education of the general public in regard to public health matters should be the principal functions of a Central Health Department. The bureau should cover the following grounds :— (*a*) Adequate reporting of all matters of sanitary interest. (*b*) Preparation, publication and distribution of leaflets, charts, posters, etc. (*c*) Organisation of lectures, demonstrations at exhibitions, etc., preparation of lantern slides, etc., bioscope performances, illustration of sanitary work. (*d*) Advertisement of quinine, etc. (*e*) Formation of a Public Health Museum.
	Total ...	1,39,000	21,500	1,60,500	1,39,000	19,500	1,58,500	
25.—Political—Miscellaneous.	Scheme for the reporting of Bengali and Urdu speeches of importance in Calcutta and mufassal.	1,920	8,796	10,716	...	8,796	8,796	This has been sanctioned. For Bengali speeches— Rs. Rs. Instructor (250) .. ... 3,000 Four scholarships (75) ... 3,600 One peon (8) ... ... 96 6,696 Extra pay at Rs. 20 per mensem to Instructor if all 4 students are successful ... ... 1,920 8,616 For Urdu speeches— Two scholarships (50) ... 1,200

							Travelling allowance ... ... 5,000 Contingencies 600 11,192
Revision of pay of Veterinary Assistants.	...	1,20,000	1,20,000	...	29,310	29,310	The ultimate cost of the scheme is shown below :—
Deduct recoveries ...	...	80,000	80,000	...	19,540	19,540	Rs 184 Veterinary assistants on an average pay of Rs. 75 a month. 13,800 Local and personal allowances 1,080 14,880 × 12 = 1,78,560 *Deduct* present cost ... 58,560 Increase ... 1,20,000
	...	40,000	40,000	...	9,770	9,770	For 1919-20, there will be 197 officers— Rs. Costing ... ... 87,870 *Deduct* present cost ... 58,560 Increase ... 29,310 Two-thirds of the cost are usually recovered from local bodies.
Provision for improvement of breed of Bhutia ponies	...	480	480	...	480	480	Rs. One syce and grass cutter ... 12 per mensem. Gram, etc ... ... 22 ditto Miscellaneous (bedding, salt blanket, etc.) 6 ditto 40 × 12 = 480
Establishment of darwans for seed stores.	...	2,280	2,280	...	2,280	2,280	Nineteen Darwans on Rs. 10 each.
Additional establishment in the office of the Director.	...	948	948	...	948	948	The provision is for the creation of a post on Rs. 150 a month in place of a post on Rs. 80 per mensem and for a peon on Rs. 9 a month.
Temporary establishment in connection with census of cattle.	5,500	..	5,500	5,500	...	5,500	

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
26A.—Agriculture—*concluded.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
	Additional establishment under the Economic Botanist	...	3,000	3,000	...	3,000	3,000	
	Temporary assistant for Fibre Expert.	1,200	...	1,200	1,200	...	1,200	This is required in connection with experiment in water hyacinth ash
	Establishment of two new district agricultural farms.	90,000	...	90,000	90,000	...	90,000	This is a part of the scheme for distribution of improved paddy and jute seed.
	Construction of a model rearing house, Berhampore.	10,000	...	10,000	10,000	...	10,000	This has been sanctioned.
	Entertainment of 9 Additional Agricultural Officers	...	33,372	33,372	...	19,872	19,872	Sanction has already been given to the employment of 5 Additional District Agricultural Officers and to make up the full complement 4 more officers are required. The scheme for the formation of a service of District Agricultural Officers in Bengal, by which each district of the Presidency will have one agricultural officer, has already received the sanction of the Government of India. These officers will be on probation on Rs. 75 a month for two years and then confirmed in the grade of Rs. 100—5—200. Rs. Rs. 9 Officers (75) ... ... 675 9 Peons (9) ... ... 81 Travelling allowance of officers and peons (100) ... 900 1,656 per mensem or 19,872 per annum.
Expert staff	Additional establishment under Weaving Expert	...	1,080	1,080	...	1,080	1,080	

	For Inspecting staff ...	...	21,192	21,192	...	21,192	21,192	1 Head Assistant on Rs. 150—10—250. 2 Assistants on Rs. 75—5—100 each 1 Assistant on Rs. 60—3—75. 2 Assistants on Rs. 40—2—50 each. But it has been decided to provide Rs. 5,000 in lump sum towards the scheme. The Registrar has asked for the following staff :— 4 Sub-Deputy Collectors on Rs. 150 each with a local allowance of Rs. 50 each. 8 Non-gazetted Inspectors on Rs. 105 each. 12 Peons on Rs. 9 each. But it has been decided to make provision for the following :— 2 Sub-Deputy Collectors. 6 Non-gazetted Inspectors. 8 Peons. The estimate includes Rs. 7,968 for travelling allowance of Inspectors and peons
	For Auditing staff ...	...	21,672	21,672	...	21,672	21,672	It is proposed to appoint 14 auditors on Rs. 75 each and 14 peons for them on Rs. 9 each Rs. The details are :—14 auditors (75) ... 1,050 T.A. (40) ... 560 14 peons (9) ... 126 T.A. (5) ... 70 1,806 per mensem or Rs. 21,672 per annum. The audit fees levied on the societies, which will be credited to Government as receipts, will go towards meeting the charge.
	For Cottage Industries ...	50,000	...	50,000	38,000	...	38,000	Rs. 12,000 was provided in 1918-19.
	Total ...	1,56,700	1,56,856	3,13,556	1,44,700	1,03,686	2,48,386	
26B.—Scientific and Miscellaneous Departments								
Fishery Department ...	Appointment of District Fishery Officers.	...	4,500	4,500	...	4,500	4,500	With a view to obtain first-hand information regarding the condition of fishermen and fisheries it is proposed to appoint, as an experimental measure, two District Officers on the lines of District Agricultural Officers. They will make a survey of the district from a fishery point of view, keep themselves in touch with fishermen and owners of fisheries, initiate co-operative societies amongst fishermen, replenish fisheries, both Government and public, take steps to facilitate import and export of fish, etc Rs. 3 officers on Rs. 75 each ... 2,700 T. A. 1,800 4,500

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring	Recurring.	Total	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
26B.—Scientific and Miscellaneous Departments.		Rs.	Rs	Rs.	Rs.	Rs.	Rs.	
Development of Industries	Experiments in connection with hand-loom and other industries.	3,000	...	3,000	3,000	...	3,000	
	For Research Tannery ...	1,30,000	68,400	1,98,400	10,000	68,400	78,400	Rs 23,483 has already been incurred for land acquisition and Rs. 2,017 will be incurred for raising and levelling the land and Rs. 50,000 for construction of buildings during this year. For equipment Rs 20,000 has also been sanctioned during 1918-19. Rs. For equipment ... ... 10,000 For establishment at Rs 5,700 a month ... 68,400 Rs. The details are— 1 Director ... ... 600 1 Research Chemist ... 300 1 Tannery Foreman ... 200 1 Accountant and Head Clerk 100 1 Typist and second clerk ... 40 2 Assistant clerks ... 30 each. Tanning charges— Labour ... ... 500 Hides ... ... 2,000 Treatment of materials ... 300 Power ... ... 300 Sanitation and watch ... 50 Stamps, stationery, etc. ... 150 Tools, plant, furniture ... 500 Laboratory supplies and literature. 250 Freight, etc. ... ... 150 Miscellaneous and contingencies. 200
	For ... of	2,50,000		2,50,000	2,50,000		2,50,000	

Amrabad ditto ...	1,00,000	...	1,00,000	1,00,000	...	1,00,000	These are anti-malarial schemes for which contribution will also be given from the Sanitary grants.
Bullee Bil ditto ...	50,000	...	50,000	50,000	...	50,000	
Relief of after-flood congestion.	20,000	...	20,000	20,000	...	20,000	These are projects for mitigating the effects of the floods in the Burdwan Division
Rohra khal project ...	20,000	...	20,000	20,000	...	20,000	
Uchnala project ...	20,000	...	20,000	20,000	...	20,000	
Sagarputul Bambazar escape	1,00,000	...	1,00,000	1,00,000	...	1,00,000	
Investigation as to the drainage condition of the Sundarbans in the 24-Parganas.	30,000	...	30,000	30,000	...	30,000	This is required chiefly for investigation of the conditions of the Sundarbans in the 24-Parganas with a view to ascertaining which portions of the unsettled area are fit for settlement.
Buildings required in connection with the formation of a new permanent Irrigation Division to deal with waterways and drainage projects	85,000	...	85,000	85,000	...	85,000	

Major budget head and sub-head under which provision is to be made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1919-20.			Remarks.
		Non-recurring.	Recurring.	Total	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
43.—Irrigation—Minor Works and Navigation—*concluded.*	Improvement of khals at Dacca.	50,000	...	50,000	50,000	...	50,000	
	Rebuilding the Kidderpore bridge over the Tolly's Nala.	2,50,000	...	2,50,000	2,50,000	...	2,50,000	
	Improvement of the Alaipur Khal, Khulna.	15,000	...	15,000	15,000	...	15,000	
	Purchase of one steam-tug and barges as coaling plant for dredgers "Foyers" and "Alexandra".	1,00,000	...	1,00,000	1,00,000	...	1,00,000	The plant which was available formerly was taken over by the Military authorities for work in Mesopotamia and this Government got a credit of Rs. 89,000 in 1918-19.
	Partial canalisation of Tolly's Nala.	75,000	...	75,000	75,000	...	75,000	
	Widening the Madaripur Bil route	4,56,000	...	4,56,000	4,56,000	...	4,56,000	
	Total	14,71,000		14,71,000	14,71,000		14,71,000	

Probable estimate of expenditure of sanitary schemes in 1919-20.

I.—Anti-malarial work.

WORKS TO BE CARRIED OUT AT GOVERNMENT COST.

	Rs.	Rs.
Saraswati, 24-Parganas	44,000	
Baragachia do.	40,000	
Manikhali do.	1,00,000	
Ghaghat	75,000	
		2,59,000

WORKS TO WHICH GOVERNMENT WILL CONTRIBUTE.

Jabuna	50,000	
Arul Bil, Jessore	11,000	
Bhairab, do.	50,000	
Amta, Howrah	1,00,000	
		2,11,000
Engineering surveys	...	10,000
Anti-malarial surveys	...	15,000
Total	... ...	4,95,000

II. —Sanitary schemes.

(*a*) NON-RECURRING.

Rajbari water-supply	4,000	
Mymensingh do.	64,000	
Midnapore do.	2,04,000	
Krishnagar do.	1,25,000	
Bankura do.	5,000	
Budge-Budge drainage	9,500	
Kurseong do.	25,000	
Bankura town improvement	12,000	
Dacca sewerage	3,00,000	
		7,48,500

(*b*) RECURRING.

Quinine grants	50,000	
Contribution for District Health Officers ...	8,000	
Calcutta sewerage experiments	5,000	
Do. fringe area drainage	45,000	
Contribution for Sanitary Inspectors	12,000	
Vital statistics (special establishment) ...	6,700	
		1,26,700
GRAND TOTAL		13,70,200
		or 13,70,000

Mr. Phelps ; Sir H. Wheeler.

RESOLUTIONS.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 1.

The Hon'ble Mr. Phelps moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) provision be made in the Budget for Rs. 2,00,000, or such su may be profitably spent, for the improvement of the me services in the hospitals of Calcutta ;

(*b*) this sum be provided for by a corresponding reduction in estimated expenditure under the head "Civil Works in cl of the Public Works Department ".

He said :—

"My Lord, in moving this resolution I desire to call attention t item '24A Medical' on page 2 of the Amended Draft Financial State So far as I can understand, it is proposed to spend Rs. 48,000 less in 19 than in 1918-19, and Rs. 1,85,000 less than in 1917-18, on medical servic

It is admitted on all hands, I think, that the hospitals in Calcutta a an imposing scale, but from personal experience and from what I hear several quarters it would appear that those splendid hospitals are woe under-staffed and the officers are overworked. I have had painful exper of this, and my experience is corroborated by others who are in a positi judge.

It is well known that a very large percentage of medical officers have l and are, employed on military duty owing to the war, but it is felt explanation is due to a patient public as to what steps are being taken to l the cadre up to its full strength in the hospitals.

I have searched in vain for information on this point in the other lucid explanations given in Part I by the Hon'ble Finance Member."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I think I can set the Hon'ble Member's mind at rest in res of any idea that we have reduced the expenditure on Calcutta hosp during the current year. Whatever alterations there may have been in figures—and I have not, at the moment, traced the details to which he re —they must be due to ordinary, what I might call, Budget corrections, mac view of the actuals of past years, for instance, or circumstances affecting ordinary fluctuations as between year and year. There has been nothin the nature of any general retrenchment of expenditure on the Calc hospitals.

In referring to the general standard of work in the Calcutta hosp during this year, I think it is essential that we should bear in mind the o shadowing effect of the war. As we all know, our medical cadre has l particularly depleted owing to a large portion of it being put to the pur for which it was intended, namely, that of a war reserve, and we have hac carry on the medical administration of the province, not only in Calcutta, still more markedly in the districts, with a staff which is far below the l that would be maintained in normal times, and far below the level at wl we would have maintained it, if we had had a free hand in the mat Obviously we have not had a free hand ; we had to give way to the pre derating necessities of the war. I think, too, that in considering the ques we should bear in mind the strain under which these medical officers Calcutta have been working, and pay a tribute to the devotion to duty and energy which alone enabled the hospitals in Calcutta to run during th years of heavy strain at the level of efficiency at which they have b kept. It must be common knowledge to all of us that the strain has told

a good many of our officers, mostly senior officers, who are working in Calcutta at the present time. Some of them are overdue for retirement, and last year we would have had a serious break-down had we not been able to give a rotation of short leave to a few. Rotation of short leave does not make for efficiency, but if we had not done this, the officers would not have been able to carry on.

Well, Sir, the Hon'ble Mr. Phelps has asked particulary when we intend to bring the hospitals in Calcutta up to their full strength. The actual facts are that at present the Medical College is short by one resident medical officer, as also is the Presidency General Hospital, while in respect of the latter nstitution, had the conditions been normal, it is likely that we might have aken up a request that has been pressed upon us, namely, to post a third nedical officer there. We have not been able to do that as no men are vailable owing to our inability to get back from military duty some of our fficers who are still thus engaged. We are in constant communication with he Army Department, pressing our needs upon them, but there again, we an only bow to their decision, which is come to in the light of their military equirements. So much then, for the pre-war standard. There is, of course, he general question whether the whole staff of some of the Calcutta hospitals oes not require to be strengthened. I think there is a considerable reason or thinking that step to be desirable, but it is impossible to undertake now, while our cadre is so depleted, and, again, the whole question of the ndian Medical Service and its future is being examined by the Medical eorganization Committee which is now sitting, and until we know the result its deliberations, it is impossible to make large proposals involving azetted officers.

That is the position as regards gazetted officers, but in respect of the inor establishments, we have, even during the war, been not neglectful of eir needs. We have had to raise the pay of nurses, and we have raised e pay of menial servants. We have tried to the best of our ability to aintain a reasonable standard of efficiency, and when we complain of slight fects and deficiencies in Calcutta, let it be remembered how much more ious the defects and deficiencies have been for those living in the mufassal, st of whom have been deprived for the last four years of any hope of the linary Civil Surgeon to whom they ordinarily look. Let us bear their ubles in mind, when we harp upon our own.

Sir, for these reasons, I do not think a provision of Rs. 2 lakhs is uired in the Budget, and I do not propose, therefore, to accept that recommendation."

The Hon'ble Mr. Cumming said :—

"My Lord, in this resolution and in several others which are in the nda, proposals have been made for meeting suggestions for new expendi- by diversion from Civil Works in charge of the Public Works Department. would probably be convenient if at this stage I make a general statement arding the financial position of the Public Works Department in reply to se suggestions for diversion. The total Budget estimate for 1919-20 is 1 crore and 13 lakhs and is in excess over that of the previous year by 28 lakhs. Some Hon'ble Members have been tempted to consider that it is a of gold into which they can dip their hands at will. The position in some ects is not unlike that of the grant for railways in the Imperial Budget.

Now, let me shortly show what this total for 1919-20 really means. We exclude the small item of 'Tools and Plant' and the fixed item of ablishment'. There remain 'Works in Progress,' 'Repairs' and 'New ks'. To complete 'Works in Progress,' Rs. 34 lakhs are required, and no can suggest that there is any economy in stopping such works.

Mr. Phelps; *Rai M. C. Mitra Bahadur.*

As regards 'Repairs', the grant of Rs. 32 lakhs is Rs. 3 lakhs less the amount for which the Department has asked; and in view of the fact during the past three or four years there has been a minimum of expend on public buildings, which, though inevitable for the time being, is economical in the long run, this sum of Rs. 32 lakhs cannot be consid excessive.

Finally, as regards 'New Works' a sum of Rs. 5 lakhs has been dev to 'Minor Works' distributed over all the departments of Government, there is no extravagance in this item. Under the head of 'Communicati I made certain requests in my capacity as Member in charge of the P Works Department, but my requests were cut down by half; and as reg 'New Civil Works', they are the ultimate residue of a very large numbe works which were examined by the Finance Committee. It may be held the Public Works Department is after all only an adjective department that as far as its operations are concerned, they are at the instance of, on behalf of, all the other departments of Government. Nevertheless, in of the statement of facts which I have given, speaking as Member in ch of the Public Works Department, I deprecate any further reduction of of the items in the Public Works Budget."

The Hon'ble Mr. Phelps said:—

"My Lord, I beg to thank the Hon'ble Member for his very kind elaborate explanation. I have also got to thank him for the provision—a substantial provision—in the Revised Statement for Hospitals, although Hon'ble Member does not see his way to accept my resolution. I thank Hon'ble Member for the liberal provision and I am perfectly satisfied with reply. I would now withdraw my resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 2.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution:—

This Council recommends to the Governor in Council—

(*a*) that provision be made for two lakhs of rupees for the Med College, Calcutta, for the following purposes:—

(*i*) a special Out-patient Department for skin, throat, nose and diseases,

(*ii*) a Dental College,

(*iii*) a Physical Laboratory, and

(*iv*) a Materia Medica Museum, and

(*b*) that the expenditure be met out of the grant of 2½ lakhs of ru provided for the scheme for the development of Kalimpong.

He said:—

"My Lord, in this connection I would refer to the letter No. 14471, da Calcutta, the 21st September, 1918, from the Hon'ble Surgeon-General v the Government of Bengal to the Secretary to the Government of Ben Financial (Medical) Department, published in the annual report of Medical College, Calcutta, for the session 1917-18.

With these few words, I move this resolution for the acceptance of y

Sir H. Wheeler; Mr. Cumming.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, on the merits of the four schemes on which the Hon'ble Member would like to see money spent, there is no disagreement, and obviously that will be so, as I think he has taken them from the annual report of the head of the institution, and the advice that Colonel Calvert gives us as to the improvement of the Medical College is more likely than not to be sound. All these projects figure in our papers as desirable works. Also, among the list there is that which is the subject of the third resolution, and which is equally desirable. A special out-patient department for skin, throat, nose and ear diseases is undoubtedly wanted, and a dental college is a need of Calcutta at the moment. Unfortunately these schemes are terribly expensive, and, as an example, I may mention that in a project for a dental college which was sent up to us not long ago, we had an item of Rs. 4,71,000 for the acquisition of land alone, and apart from the cost of buildings, which has not yet been estimated, we had items of Rs. 37,000 for equipment, Rs. 7,800 for furniture and Rs. 33,000 for establishment. It will thus be seen that these works, eminently desirable as they are, do entail a great deal of money. The physical laboratory and a materia medica museum would, I believe, be most useful, but they have not yet attained even the dignity of an outline scheme. All these works we should like to see accomplished, and the reason why we have not been able to insert them in the Budget is that we have given preference to matters connected with the Medical College which we thought even more urgent. These are briefly, the improvement of the nurses' quarters, which is a most necessary work, because, on the provision of accommodation for more nurses depends all these subsequent developments and enlargements of the institution. They will call for more nurses, and if there are more nurses, there must be somewhere to put them, so that work really stands on the threshhold of all these subsidiary projects. Secondly, after consideration in the Finance Committee, we decided to make a beginning with the Eye Hospital, and the provision in the Budget is only a beginning. This is a very large and expensive scheme which has been hanging fire for many years, and which I am assured by Colonel Maynard is a most crying need. Apart from that, let it not be overlooked that in this year and in the ensuing year we have spent, and shall spend, some Rs. 8 lakhs on the acquisition of land near the Medical College for future extensions. That is a very heavy bill, and in the light of it, it cannot rightly be said that we have not recognized the needs of the Medical College. When the large new avenue was being put through by the Improvement Trust to the west of the College, thus clearing frontage sites which would serve as an excellent boundary to the College on that side, we thought it would be folly to let the chance slip through our fingers, and we took up this land even at a very high cost. We now have room for expansion and it will be a matter of carrying out these different works in an orderly programme as our funds permit. I can assure the Hon'ble Member that we have not overlooked them, but our feeling is that we must consider other demands upon us, and, compatibly with them, it is not possible to spend more money this year on medical institutions in Calcutta. We have done more than we have been able to do for several years past, while we have also got to remember that there are the needs of the districts, and that it is a complaint which we have heard in the past, not altogether without justification, that, in proportion, more money is spent on medical institutions in Calcutta than on those in the *muffasal*. Therefore, Sir, I do not see my way to accept this resolution."

The Hon'ble Mr. Cumming said :—

"My Lord, in view of what the Hon'ble Sir Henry Wheeler has said, it is hardly necessary for me to make any remarks on the second item, namely,

that provision be made by a corresponding reduction in the estimated expenditure under the head 'Civil Works in charge of the Public Works Department'; but, as this appears in the agenda, I may simply inform the Council that Government are already committed to the expenditure, and, in the second place, that the project will be a remunerative one."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I am thankful to the Hon'ble Members for explaining the situation. I am also thankful to get the information from them that Government has full sympathy with the resolution which I have had the honour to move before the Council, that it is desirable that these improvements should be taken up, and that Government has spent and is spending large sums of money over the improvement of medical institutions is a matter of gratification to me; but it will be for your Lordship to consider whethe the improvements which have been suggested in my resolution demand the immediate attention of the Government. If it be said that these matters may stand over for some time longer, I have nothing to say on the subject, and, therefore, I think it necessary, after the explanations given by the Hon'ble Sir Henry Wheeler and the Hon'ble Mr. Cumming, that I should withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 3.

The Hon'ble Sir Nilratan Sarkar moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that a sum of Rs. 1,00,000 non-recurring and Rs. 20,000 recurring be allotted for the extension of the Eden Hospital and for starting an Extern Maternity in connection with the same; and

(*b*) that the non-recurring expenditure be met out of the sum of Rs. 33,80,000 provided for works in progress (Civil Works in charge of Public Works Department), and the recurring expenditure be met out of the sum of Rs. 2,00,000 provided as General Reserve for unforeseen requirements.

He said—

"My Lord, I would have been the last person to move this resolution if I had not felt that the proposal contained in it was for some unforeseen requirements of an extremely urgent character. The Eden Hospital is the only hospital for clinical training in obstetrics for the students of the Medical College, Calcutta. The number of beds that are available for the purpose of such training are 16 and the number of admissions to such beds in the course of a year comes up to about 600 or a little over. Out of these 600 cases the students generally get about 400, the other 200 being allotted to the clinical teaching of the *dhais* and nurses. It would thus appear that these 400 patients have to be utilized for the training of about 180 students, 150 of whom are the University students, 20 military students and about 10 lady students, on an average. The average number of patients allotted to each student thus comes up to 2·2, while the University requirement is a minimum number of 6 patients to each student. It would thus appear that the number of patients in the Eden Hospital is inadequate to meet the

requirements of clinical teaching and that extension is necessary in the interests of the students. This has become particularly so on account of certain developments in which our students—I mean the local medical graduates—are about to loose some privileges in Great Britain and elsewhere which they had been enjoying for some time past, on account of inadequacy of training in this particular subject of obstetrics.

I have said something about the needs of the students, and I may be permitted to devote a few minutes to discuss the needs of the carrying-women in Calcutta. The number of women in Calcutta of the child-bearing age comes to about 108,000. The number of births registered annually comes up to about 18,000. About 1,600 of such confinements take place in hospitals and the remaining 16,400 outside hospitals. Probably 50 *per cent.* or about 8,000 of these women go without any help or they can get only the help which is worse than any help—the help of ignorant *dhais.* The infant mortality in this city during the first week of delivery comes to about 33 *per cent.* There is no organization for treatment in pre-puerperal or post-puerperal state.

It would appear from the facts that I have already given that the average stay of a patient in the Eden Hospital cannot be more than 9 days, which means that many of those patients are admitted into the hospital already in a certain stage of labour, and they stay there for a week or a little over, and then discharged. In this country, my Lord, it is generally held that 4 weeks would be the proper time for which a woman should receive treatment in confinement. The higher authorities everywhere hold that a woman in a delicate condition should receive proper treatment for 4 weeks before and 6 weeks after labour. If we compare the state of things in Calcutta with those prevailing in Madras, we find that in the Medical College Hospital there a fairly good number of patients in delicate condition are kept for a certain period during which they are well fed, well taken care of, and in proper time they receive proper help. On the other hand, we have here in Calcutta only 16 beds for about 600 patients, and the average stay is only 9 days. Some of the patients in the most delicate condition have to incur the odium of overcrowding the wards on extra beds or even on the floor; and they have to do that in preference to leaving the hospital unattended. There is no question about the need of extension from the point of view of patients also.

One word, my Lord, about the need of the extension from the point of view of professors and teachers. Every teacher in the medical line thinks of enlarging the bounds of his knowledge by observations and at the present moment prenatal physiology and prenatal pathology have become extremely interesting subjects of study. There is no opportunity for our professors and demonstrators to make such study in the Eden Hospital.

Looking at the matter whether from the point of view of the pupil, the professor, or the patient, the need appears to be urgent. I know there are difficulties. I know also that one ward accommodating another 16 beds could not solve the difficulty, but it would give relief to another 600 women and that is a good deal. My resolution seeks to give relief to a larger number of patients by the introduction of a system of an Extern Maternity in connection with the Eden Hospital. I am extremely happy to find that the Calcutta Corporation has realized the necessity of such a step and have already made some progress in this direction. The Extern Maternity that I propose is somewhat of a modified form of the maternity that has been introduced by the Calcutta Corporation. With the Eden Hospital as the centre, a maternity may be organized with a presiding officer, say of the rank of an assistant surgeon, who will always be present in the hospital, with 2 or 3 nurses and *dhais* and a number of students and who would be always available

for helping such patients. I know there is a misapprehension in some quarters that this help would not be availed of on account of the prejudices in the minds of our women. It is held in certain quarters, and I believe without sufficient justification, that many of our women would prefer death to being treated on such occasions. I claim to know something of our women in Bengal, particularly of the Hindu community, and in my experience I have never met with a case in which a woman has refused to be treated under such circumstances when treatment was necessary for her; and my assertion would be borne out by the fact that at the present moment there are about a dozen of practitioners who practise in this line, and in this line alone, some of whom have turned to be specialists of the highest order. The increasing number of patients in the Eden Hospital which has made it necessary for the Campbell and Belgachia Hospitals to admit labour cases also supports my view that there is a great demand for such help. I have no doubt that if an Extern Maternity be organized with the Eden Hospital as the centre, our women folk would avail themselves of the help and it would be also of great benefit to the students who will be able to profit by the clinical experience gained there.

I believe, my Lord, that I am not justified in trying to enforce upon the Hon'ble the Finance Member a resolution like this, particularly after the decisions in the Finance Committee. But my plea is this: that it is one of the unforeseen requirements for which provision has been made to the extent of Rs. 2,00,000, and as regards the capital expenditure I have just nervously proposed to utilize a portion of the Rs. 33,80,000 which is reserved for works in progress. So far as I understand, all these works are not likely to be finished within the course of the next year and, I believe, if Government will graciously accept this resolution there will not be much difficulty about spending this small sum for meeting the very urgent needs that I have pointed out.

With these few words I beg to commend the resolution for the acceptance of the Council."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the general line of answer to which I would refer the Hon'ble Member is that which I have just followed in connection with the previous resolution, and I would ask him to take those arguments in the main, without their repetition by me, viz., that we are already spending heavily on these Calcutta institutions, and in fact, up to the limit to which in the current Budget we think we are justified in going. Two points have a particular bearing on this question of the Eden Hospital, viz., preliminary provision for the accommodation of more nurses—obviously nursing plays an important part in cases of this kind—and the acquisition of land, part of which is specifically designed for this extension of the Eden Hospital. As to the merits of this project I am in full sympathy, and in fact, I have here before me notes outlining the very urgent needs of this hospital to the extent roughly of 2 wards with 20 beds in each, 10 more private rooms, a new out-patient block for the diseases of women, and accommodation for private rooms for nurses, surgeons, clerks, servants' quarters and out-patients. So we are perfectly conscious of the need, and I am also aware that the wards are overcrowded. Indeed, I am told that the Calcutta University Commission are likely to refer to that fact. Therefore, I do recognize this scheme as one of the most pressing wants, and when we get through with those works which we have in hand, I should *primâ facie* be inclined to put this Eden Hospital extension as the next scheme to be undertaken. That may not be pleasant to the Hon'ble Rai Mahendra Chandra Mitra Bahadur since it does not figure in his list, but it is essential to bring people into the world under as healthy conditions as possible, and we may well give a high place to this work in

anything connected with the medical improvement of the country. But, Sir, we do not see our way to make this addition to the present Budget, and there is another point of practical difficulty. At the present moment the Public Works Department is depleted in its staff, like every other department, and I understand that with the projects which we contemplate in the Budget they will have their hands full, if not more than full, during the coming year. But I can assure the Hon'ble Member that I will see that all the requisite preliminaries of plans and estimates to the best of our ability are pressed on, and that if I find any opportunity during the year of beginning this work, we will seize it.

As regards his suggestion for an extern maternity work, which I understand is on the lines followed in hospitals in London, where students attend outside cases, thereby helping the patient and gaining experience themselves, the idea, in connection with the Eden Hospital, is new to me, and I am glad to hear from Sir Nilratan Sarkar that he does not think that prejudices will stand in its way very much. *Primâ facie* I should have anticipated obstacles of that kind, but I am quite willing to refer the suggestion to the Superintendent, and if anything can be done on those lines, to try it. But the expenditure involved in this respect would scarcely be heavy, even if there would be any addition at all ; anyhow, it would not be more than we can find funds for. But regarding the major project of the building scheme, our attitude will be that of pushing on the preliminaries with a view to undertaking it at the first opportunity that presents itself, although we cannot now promise when that opportunity will arise."

The Hon'ble Sir Nilratan Sarkar said :—

"My Lord, having regard to the sympathetic attitude of the Hon'ble the Finance Member, I would ask permission to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 4.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that provision be made for four lakhs of rupees in the Budget Estimates for 1919-20 for Famine Relief for Bankura and other districts ; and

(*b*) that the charge for the Provincial share be met from the General Reserve Fund of rupees two lakhs under the head 32—Miscellaneous for unforeseen requirements.

He said:—

" My Lord, I had not the opportunity of receiving the Revised Statement which has been subsequently brought to the notice of the Council ; the reason which led me to bring this resolution to the notice of this Council was that I felt strongly as to the distress prevailing in Bankura. Being one of the representatives of the Burdwan Division I thought it my duty to bring it to the notice of Government and that was the reason which led me to place the resolution for the consideration of the Council. It is a great pleasure to me to read the Revised Statement and to find that a provision of Rs. 50,000 has been made out of the Rs. 2,00,000—Imperial Revenue.

Maulvi A. K. Fazl-ul-Haq.

I have great doubts whether Rs. 50,000 will be sufficient for the purpose, but I shall not venture any discussion on the subject. I ought to be satisfied now with the provision that has been made, and therefore, my Lord, with your Excellency's permission, I would withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 5.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that a lump-provision of Rs. 3 lakhs be made for famine relief operations in Bankura ; and

(*b*) that the money required be provided for—

(*i*) by curtailing the expenditure by Re. 1 lakh under Agriculture 26A—Co-operative Credit (reducing the Budget allotment from Rs. 3,46,000 to Rs. 2,46,000) ;

(*ii*) by curtailing expenditure under Sanitation 24B (reducing the Budget allotment under the sub-head "Sanitation and Vaccination Establishment" by Re. 1 lakh) ; and

(*iii*) by alloting Re. 1 lakh from the lump-provision of Rs. 2 lakhs for unforeseen requirements (Misc.—32).

He said :—

"My Lord, the resolution about which I have given notice deals with the subject of making some provision in the Budget for the relief of distress in the district of Bankura, and if I may now add 'in some other places in this Presidency'. I would not have pressed this resolution but for the fact that in my humble opinion the provision that has been made is grossly inadequate. The reports that we have received during the last few days from Bankura and certain parts of the Tippera district point to the very widespread scarcity that has been prevailing in those parts for some time past, and which threatens to turn into a very widespread famine unless precautions are taken at once and in an adequate measure. Rupees 50,000 would hardly be a sufficient contribution towards the money which would be requisite. Even with the Imperial contribution of Re. 1½ lakhs it would mean only Rs. 2 lakhs and I need hardly take up the time of the Council by trying to emphasize the fact that a sum of Rs. 2 lakhs is hardly sufficient to cope with the immensity of the work which officers on relief duty will have to face. I, therefore, press this resolution, although I do so with some regret. The question arises as to where the money, which I have proposed should be set apart, is to be got. I propose that the Provincial share should be Rs. 3 lakhs, and the balance should be got from the Imperial grant. Rupees 10 or Rs. 12 lakhs would, therefore, be at the disposal of your Excellency's Government, and it would be in some respects a tolerably good contribution towards the funds for the relief of distress. The suggestion that I have made refers to two of the departments of Government as to which there has been an impression that there ought to be as much grant as possible from Provincial revenues. As regards the Department of Co-operative Credit Societies which appeals so much to popular fancy, and which has received the benediction of the highest in the land on several occasions, and is daily praised by officials and non-officials, I might perhaps be accused of being a

Maulvi A. K. Fazl-ul-Haq.

heretic for standing up in this Council to propose that there should be a curtailment of the Budget allotment on this head. I consider it my duty to point out that although this department is one of the most important of which the Government has got to take charge, there is still a limit to the extent to which public money should be spent on this department, and there are occasions when one has got to point out that these Government grants will not only do no good, but may be instrumental in doing positive harm and mischief. My Lord, I do not know if many of my colleagues are aware of the fact that I was connected with the working of this department some years ago, and at the time when this movement had to be guided through the struggles of early infancy. It was in those days that in consequence of the agitation over the Partition of Bengal, anything that was being proposed by Government was regarded as ban and anathema by the people. They used to think that every movement started by Government carried with it a sort of insidious desire to decoy people into unknown regions where they might be landed in some unforeseen difficulties. In those days there was one Registrar only, Mr. K. C. De, who is now the Commissioner of the Chittagong Division, and he had only two gazetted assistants and half-a-dozen Inspectors, and every time the Registrar went up to Government for financial help, he was told that this was a movement which ought to grow up spontaneously, and that it should not be forced on the people, as if it were an exotic growth on an uncongenial soil. We were also told, on the authority of no less a man than Mr. Woolfe, who is justly regarded as one of the highest authorities, not merely in England, but also on the continent and America, about the inadvisability of officialising a popular movement like this. I, therefore, submit that although Government ought to contribute towards this department in order to help the growth of this movement, Government should also take care that in course of time it does not become an official department like the other departments which your Excellency's Government has got to control. I find from the Budget estimates that the allotment this year exceeds by a little over a lakh of rupees the actual expenditure that has been incurred within nine months, and on that basis the actual expenditure which will be credited to this department by the end of this month will be a lakh and-a-half of rupees more than last year's expenses. The plain question is whether there is any necessity for increasing the Budget allotment by so large an amount, even conceding that the movement has been making progress and some Government help is necessary.

Now, my Lord, I looked up the figures and I find that there are at the present moment something like 52 central banks, and agricultural societies numbering a little over 3,300. For the control, and if I may say so, for the guidance of these societies it is proposed to give the Registrar not merely a Personal Assistant but four Joint Registrars on so high a salary as Rs. 500 and Rs. 400 a month, *plus* Rs. 100 local allowance, one Chief Auditor, 42 Inspectors and 2 Additional Inspectors. This means that the staff is going to be increased by 20 Inspectors and two Additional Inspectors, although the increase in the number of societies is not to be more than 300 in all. I would not have grudged this expenditure but for the fact that this large army of officials going about the country would naturally place the people in a position from which they will gradually lapse into a condition of lethargy and indolence. Why should this large army of officers be required? Hon'ble Members may not be aware, because one who has not actually been in touch with the working of the department, is not in a position to know that the work of these officers in the co-operative department is not of a very exacting character. The societies are situated somewhere in the interior of the district; the Inspector or the Joint Registrar or any other high officer of the department goes there and sends for the Chairman of the society, a few members may

appear and he enquires of them whether there has been any defalcation o embezzlement. The actual auditing does not take more than twenty minute even in the biggest societies that now exist. That is not the sort of worl which puts any strain either on the physical or mental capacity of thes officers. There are Government servants who are four times as hard-worke who have not got this local allowance of Rs. 100 nor have they got the privi lege of seeing their services mentioned in eulogistic terms every year i Government resolutions. My own impression is that the advance in thi movement has not been so great or so marked as to necessitate an extr expenditure of a lakh and more which it is proposed to place at the disposa of the department. The extra expenditure will entail an allotment of ove Rs. 60,000. Then, I find there is provision for temporary establishment costin over Rs. 15,000. There is then a lump-provision for additional establishmen costing over Rs. 32,000, and office expenditure under head 'Miscellaneou Works' works out to Rs. 15,000. I submit, my Lord, that going over the questio very carefully I do not find any sufficient justification for all the big provisio that is going to be made for this department. There is another item whic has called for lengthy changes costing over Rs. 9,000. I do not understan the utility of that lengthy change ; at any rate Rs. 9,000 is a very big figure I, therefore, think that instead of spending this money in this way it might b more usefully spent in alleviating the distress and discharging one of th highest and most humanitarian duties of which mankind can be capable.

On the second head, I have referred to 'Sanitation' under head 24-B This is another department about which it would be blasphemous to say anything except in praise, but if I venture to make one or two remarks it i only with a view to point out that there are some allotments under this head the money for which might be more usefully employed in affording relief t famine-stricken people ; I hope I shall be excused. There is a provisio relating to the hookworm disease of Rs. 75,000 ; then there is a lump provision of Rs 10,000 for the Publicity Bureau ; then there is a provision o Rs. 25,000 for investigating the cause of river pollution. So far as some o these works are concerned I do not know, at least the necessity of investiga ting the causes of hookworm disease as I am not a medical man, but I know the disease is somewhat prevalent amongst the people of this country ; thi is a kind of disease whose germs flourish very much in tropical countries, an if we find it prevalent in this country we may be sure that it is owing to ou people living amongst the most insanitary surroundings which tend to develo the disease. I do not know how this money is to be spent for investigation at any rate I consider it a high figure for an investigation of this kind. Ther there is Rs. 10,000 for the Publicity Bureau. That figure seems to me to be very high, because, so far as the dissemination of news is concerned, it can be done through the vernacular newspapers, and for which no Publicity Bureau is necessary. Then, about the question 'of river pollution' I do not understand the problems nor appreciate the money spent over it, but even admitting that this Rs. 10,000 is necessary, I would suggest that the money be found from the lump-provision under head 'Sanitation' of Rs. 13,17,000, of which, by the way, we have not been given any details, but I think that this Rs. 1,10,00 can very well be got out of that lump-provision. All things considered, that sum might easily be set apart from allotments made under the head 'Sanitation.'

Lastly, there is a reference to unforeseen charges. There again, I submit that a lakh of rupees can easily be set apart for these purposes. My Lord, on these grounds I beg to propose that over and above the allotment that has already been made, viz., Rs. 50,000, another allotment of about 3 lakhs of rupees ought to be made under the head. 'Famine Relief' and that the money be found by curtailing expenditure under the heads 'Co-operative Societies,' 'Sanitation' and 'Unforeseen Charges'. Before I sit down I do not wish to say

that the expenditure of the Co-operative Societies is as a rule very much more than its normal requirements. What I mean to say is that the expenditure might be kept for the present within the limits which appeared to have been sufficient for the work during the last year. I only object to the extra expenditure for which I see no warrant."

The Hon'ble Mr. Cumming said :—

"Sir, the substantive part of the Hon'ble Member's resolution is that a sum of half-a-lakh which he understands is devoted to famine relief is not sufficient. It may be pointed out that his resolution refers only to one district, Bankura ; and I suggest that he went beyond the bounds of his resolution in discussing areas in which scarcity is likely or imminent. He should have spoken on the previous resolution of the Hon'ble Rai Mahendra Chandra Mitra Bahadur, which was a general resolution. However, I may point out that had I spoken on that resolution, I would have been quite prepared to place the Council in possession of the facts regarding famine relief regarding which both Hon'ble Members appear to be under a misapprehension ; but before doing so now, I think it is only right to point out that the Hon'ble Member who has spoken has devoted a disproportionate part of his time to the discussion of defects which, he alleges, exist in the existing co-operative organization.

I proceed to the substantive part of his resolution. It is not a fact that only Rs. ½ lakh has been given. The total sum placed under the head '33—Famine Relief' is Rs. 2 lakhs altogether, because one and-a-half lakhs is obtained from Imperial sources and half-a-lakh is derived from Provincial sources. Practically the whole of that will be devoted to Bankura. A sum of Rs. 75,000 also appears in our Budget under another head and is available for gratuitous relief; and for the present it is ear-marked for the other area, Brahmanberia, to which the Hon'ble Member drew attention. Both Hon'ble Members who have spoken have entirely overlooked the fact that in famine relief organization there is, to use the language of the United Provinces Government, 'a recognized prophylactic', the free and liberal distribution of agricultural loans. For both areas during the present year I have placed at the disposal of the District Officers more money than they have been able to distribute so far ; and for the forthcoming year, we have entered no less than Rs. 6 lakhs in the Loans Budget. Originally the amount estimated was Rs. 4 lakhs, and that has been increased to Rs. 6 lakhs ; and if operations are extended and we require more, more will be obtained ; but the sums which have been allotted for relief work, gratuitous relief and agricultural loans in the ensuing year will not bear unfavourable comparison with the amount spent in the previous years for which we have records of distress in these two areas. If we are fortunate enough to have a good monsoon in the present year, I foretell that by October next in both areas there will be no further necessity for any special expenditure by the State. We should not overlook the fact that in both areas the District Boards are expected to do something, and I think we are entitled to call upon them to do something. So much, Sir, for the substantive part of the resolution.

As regards the excessive expenditure in the co-operative credit movement to which the Hon'ble Member has taken exception, he no doubt is a practised advocate and can argue on both sides of any question. I have heard him accusing Government for its laxity in not spending more on this movement. As regards the head 'Sanitation' the Hon'ble Maharajadhiraja Bahadur will deal with that point. I propose to visit shortly the two areas in question. I have refrained from doing so hitherto in order that the situation might sufficiently develop. The Hon'ble Members will realize that after many years of experience of famine conditions, not only in Bengal, but in other Provinces, I am not likely to be lax in seeing that Government do their duty."

Babu S. N. Ray ; Mr. P. C. Mitter.

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I have to oppose that part of my hon'ble friend's resolution which seeks to curtail expenditure under 'Sanitation—24B' (reducing the Budget allotment under the sub-head 'Sanitation and Vaccination Establishment' by Re. 1 lakh). As a member of the Sanitary Board I have seen the work which has been done and also as a member of the Malaria Sub-Committee I have seen the work which is now being done by that Sub-Committee. Hitherto our grievance has been, at least for the last two or three years, that Government have not allotted a sufficient sum for 'Sanitation', but this year a decent sum has been set apart by Government for sanitation—Rs. 13,00,000—that will meet some of our crying needs. Having got that sum allotted for sanitation we now say that a sum of Re. 1 lakh ought to be curtailed and spent for other purposes.

Then, as regards the hookworm disease, it is well known that it is prevalent in damp places, in mining districts and in tea gardens. In fact, it came as news to us when we heard for the first time from some of the experts that nearly 80 *per cent.* of the people of these localities were infected with the disease. Your Lordship was pleased to convene a meeting of the representatives of the mining districts and tea gardens here, and we all here heard your Excellency's speech and also what the other gentlemen, some of them experts, had to say on the subject. It is necessary, we all thought, that a sufficient sum of money should be set apart to tackle this question, and it is better to spend money, not in driblets, but in a lump-sum, so that we shall be in a position to exterminate the disease, root and branch, from the infected localities. My friend says that it is much better that we should spend money in feeding people ; that is no doubt a very good thing, but can you say that simply by feeding people you guard against this hookworm disease? I was told just now by a friend of mine that it is just like building a house at a very large expense in order to prevent the house from catching fire. We may spend any amount of money, but if there is a fire near by, the house is sure to catch fire. So we must spend sufficient money to try to exterminate this disease, especially in mining districts, and in those tea garden areas and also in damp places where it is prevalent. The purpose of my hon'ble friend is no doubt very good—he wants Rs. 3 lakhs for famine relief operations in Bankura. Government will provide a sufficient sum of money for famine relief, but I am bound to say that this provision ought not to be made by curtailing expenditure on sanitation."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I do not really know whether my hon'ble friend Maulyi A. K. Fazl-ul-Haq, is serious. So far as I remember, last year about the Budget time I moved a resolution for allotting Rs. 50,000 for improvement of co-operative societies, and so far as I remember the then Hon'ble Member in charge, Mr. Beatson Bell, opposed my motion. That motion was put to vote, and if I remember aright, my hon'ble friend, Maulvi Fazl-ul-Haq, voted with me. Since then and in spite of the opposition of the Government the motion was passed and Government, to give effect to that resolution, provided Rs. 12,000 last year, because no complete scheme was ready then. This year as that resolution had already been passed by the Council I brought it to the notice of the members of the Finance Committee and the Finance Committee came to the conclusion that the balance of Rs. 38,000 should be provided. Last year when my hon'ble friend voted with me perhaps he was not a great disbeliever in the benefits which our people derive from the co-operative movement. I do not know what is the real reason which makes him change his opinion. Perhaps my hon'ble friend's reason is that whatever the Government does must be opposed irrespective of any consideration as to

whether such opposition is detrimental or beneficial to the interests of his countrymen whom he professes to represent in this Council. If that be the reason then his position is explained :—when I was against Government my hon'ble friend was with me and now that the Government is giving effect to the resolution which was passed with his support he is consistent in his principle of opposing the Government. My Lord, I should have thought that of all persons my hon'ble friend who was connected with this department for some time as a member of the Provincial Civil Service and who is presumably conversant with the rural areas knew what great benefits this department could confer upon the poorer section of my countrymen. I should have thought that my hon'ble friend knows that although a large sum like one and-a-half crore is now invested in agricultural credit loans, not even 5 *per cent.* are the members of the co-operative societies. I should have thought that my hon'ble friend knows that in jute alone the raiyats of Bengal lose 28 crores of rupees through middlemen. My Lord, I do not desire to deal with this question further, but my hon'ble friend's opinion is so contrary to all opinions—Indian or European—that I can hardly think that my friend is serious especially after his vote last year in favour of extension of co-operative movement.

My Lord, his second point of attack is 'Sanitation.' For years past educated Indians have been urging that Government were not spending enough on sanitation. Only the other day I was reading in the papers of a slight breeze between the Hon'ble Mr. Ironside and the Hon'ble Babu Surendra Nath Banerji. If that debate had taken place a few days later Mr. Ironside could use Mr. Haq's speech as a very effective weapon against Mr. Banerji.

But here again I hardly think my hon'ble friend is serious. His position seems to be that whatever Government do must be attacked. About sanitation we all know that 71 persons out of every 100 in Bengal die before they attain the age 30, 85 per cent. die before 40 and 93 persons out of 100 die before they reach 50. In view of this deplorable state of public health, can any one who represents the public in this Council urge the curtailment of provision made for expenditure on sanitation? I do hope, my Lord, that my hon'ble friend is not serious and that he will yet see his way to withdraw the resolution and withdraw his remarks opposing spending money on sanitation and co-operative societies."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I have to get up to defend the provisions that have been made under the head of 'Sanitation' by the department under me. Already the Hon'ble Babu Surendra Nath Ray and the Hon'ble Mr. P. C. Mitter have spoken on the necessity of the provision made by the Government under head 'Sanitation', and it is not my desire therefore to make a further defence of any provision under the head of 'Sanitation' generally, but to point out to the hon'ble mover of this resolution that when he made those remarks about the provision which we have made under the head 'Sanitation', he evidently did not take the trouble to study the question carefully. I think pages 75, 76 and 83 of the amended draft Financial Statement make amply clear all the various important schemes that we have to take up and propose to take up in this connection, and hope to try and start within the year under Budget. I think his memory is particularly short regarding the discussion that took place in this Council in connection with river pollution, and it was because although I was not able to meet the requirements of the Hon'ble Rai Mahendra Chandra Mitra Bahadur at the time that I promised on behalf of Government to go into the question of river pollution that this provision has been made. If we turn to the figure for the amount provided for enquiry

into the hookworm disease, the survey regarding the havoc played by kala-azar and other matters connected with the prevention of disease in Bengal, it will be seen that in view of the well-established fact that these different diseases are playing such havoc on the public health of Bengal that the provisions really are very modest.

He perhaps might attack us on the question of the establishment of the Publicity Bureau. Here again, what I have to bring forward is that in every country, in every civilised country, it has been thought necessary to educate the public mind through such a medium and we are only following the lead given in other countries in a matter of this nature. Therefore here again if we look at the provision and if we look at column 9 of the remarks on page 76 where this provision occurs, we will find that the provision is really a very modest one. I do not think, Sir, that any very strong case has been made out by the hon'ble mover of this resolution. He brings it in first of all with a pleading for the famine-stricken people of Bankura with whom I am personally concerned. Then he attacks the co-operative movement with which I have no concern directly, but regarding the question of sanitation all I can say is that the amount that we have provided under the different heads is the minimum amount that we could possibly have provided and that it would not be possible to reduce it further, and I therefore strongly oppose any amount being taken from the head of Sanitation for the purposes which the Hon'ble Member has in view."

The Hon'ble Sir R. N. Mookerjee said :—

"My Lord, I have listened to the debate with great attention. There is one important point which I think has not been touched upon, viz., the direct effect of the improvement of sanitation on the economic condition of the masses. It is amazing to me that our political leaders, who either in this Council room or on outside platforms always advocate the improvement of the condition of the masses and the development of industry should take up such a position and ask for a curtailment in the expenditure on sanitation. It is true that Indian labour is apparently very cheap, but it is also true that we cannot compete with foreign labour. The reason is that Indian labour is generally inefficient owing to their bad health. Your Excellency has very prominently brought to the notice of the public the bad effect of the hookworm disease on our labour. It has been satisfactorily proved in the investigation by the Industrial Commission that hookworm disease renders our labour inefficient. Although we generally pay only four to eight annas a day per head as compared with two to three shillings a day in Europe, still the quality and quantity of work of our cheap labour is from $\frac{1}{4}$th to $\frac{1}{3}$th to that of foreign labour. The reason for this is the inefficiency of our labour chiefly owing to bad health from hookworm disease. It is indeed amazing to me that a member like my friend Mr. Haq who takes so much interest in the general welfare of the country should come forward and ask for a reduction of grant under the head of 'Sanitation' and to divert it to Famine Relief Fund. The object of my friend's resolution is undoubtedly very noble, but we know from past experience that whenever there has been a famine, Government has always come forward to save the lives of the people and we therefore need not and should not ask Government to reduce expenditure on sanitation to save money for famine relief."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"My Lord, I do not accuse the hon'ble mover of the resolution of opposing the Government for the sake of opposing them, as my friend the Hon'ble Mr. Mitter has done. In fact, I have the greatest regard for him as our political leader, and a more unselfish and devoted patriot is hard to get in the

Maulvi A. K. Fazl-ul-Haq.

whole of the presidency of Bengal. But I must oppose the resolution. Perhaps my hon'ble friend, when he sent in notice of this resolution, did not know that a sum of Rs. 2,00,000 was to be spent on famine relief, but it is now a fact and so in a way, out of my hon'ble friend's demand for lakhs, 2 lakhs have already been allotted for famine relief and for the remaining 1 lakh he can certainly depend on the Government, and should a necessity arise the Government would not be so irresponsible and callous as not to come forward with the necessary contribution from the Unforeseen head. The hon'ble mover wants to curtail the expenditure on Co-operative Movement and also on Sanitation and in doing this he apparently overlooks the fact that it is by the difiusion of the principles of co-operation and proper sanitary arrangements that we hope to fight famines in future. It is therefore that every pie spent on co-operation and sanitation is an investment which would in times of real necessity repay hundredfold. My friend remarks that the work of auditing accounts is an easy job, but, my Lord, I think it otherwise. I am connected with two or three rural banks—of course they are not co-operative banks—and I know that it took two weeks for an auditor to audit their accounts and we had to pay Rs. 150 for each of them. I therefore object to any curtailment of the budgeted amounts on Co-operative Movement and Sanitation."

The Hon'ble Maulvi A. K. Fazl-ul Haq said :—

"My Lord, I find from the discussion that if I carry this resolution to a division I will find very few supporters, but having been responsible for having made two suggestions at any rate, which have brought down on my devoted head remarks from the other side of this House, I do not think I can with justice to myself make a precipitous retreat without saying a word or two by way of personal explanation.

It has been remarked that I have been labouring under a misapprehension as regards this point, but I also beg respectfully to point out to Hon'ble Members who have accused me of carelessness, if nothing worse, that they have misunderstood not merely the purpose of the resolution but what I submitted for the consideration of this Council when I moved this resolution. It was never my intention, so far as the Co-operative Societies Department is concerned, that the expenditure should be curtailed below what experience has taught us to be the normal requirements of the department, but what I suggested was that the increased allotment that now figured in the Budget estimates should be deleted, and this money be utilised for a very exceptional purpose—a purpose not merely exceptional but of the utmost urgency, and regard for which should take precedence of our anxiety to help the administration in other matters. I simply suggested that the extra staff that it is proposed to place at the disposal of the Registrar is not necessary and therefore that expenditure might very profitably be postponed for one year more.

My hon'ble friend, Kumar Shib Shekhareswar Ray, has pointed out that I was not quite correct when I said that it required only a few minutes to audit the accounts of a society. Ordinarily my own experience is that it does not take more than a few minutes. If certain auditors took two weeks to audit the accounts of a rural society, they must have been very dull. I do not know who they were, but the society's accounts may also have been of abnormally large proportions. So far as my recollection goes it never took me or any of the officers who were working at that time more than half-an-hour to audit the accounts of the most complicated society that then existed. I know that the movement has made great progress, but at the same time what the department is doing is this :—It is splitting up large societies into

smaller ones so that the increase in number is more illusory than real. However, I am not here to say anything as to the merits or demerits of the movement because I do not for the moment wish the Council to believe that I am not one of the greatest enthusiasts that can possibly be in favour of this movement. I have spent some of the best days of my life in whatever service I could render in popularizing the movement among my own countrymen, and I do not think that I would be recanting the many advantages that I derived from my life as an officer of that department were I at this moment to express anything but approbation of the work that is being done by this department.

My Lord, as regards 'Sanitation' I fully agree with the Hon'ble Babu Surendra Nath Ray that this one of those departments as to which Government cannot be too generous in making allotments in the annual Budget, but this I pointed out as one of two items of expenditure which might not do much harm or injury if postponed for a year, and I even said that if no postponement was possible that the money requisite might be got from the lump-provision of about 13 lakhs under the head of 'Sanitation'. I know that the Sanitary Board is going to wage war against the hookworm; I do not propose to take sides either with them or with the bureaucrats; let them fight it out, but what I suggested was that if the money was absolutely necessary, the money could have been got from the unallotted lump-provision that was made under the head of 'Sanitation'.

Before I sit down, my Lord, I must say a word or two as regards the observations made by my friend, the Hon'ble Mr. P. C. Mitter. He has got the great privilege of being one of my friends ever since the time we entered the Presidency College together, and he can certainly draw upon that circumstance with as much liberty as he likes in making any remarks that he pleases, but I wish to point out that it never occurred to me that during my activities in this Council I posed always as an unrelenting antagonist of Government. I cannot see how a proposal to allot Rs. 3 lakhs could be called going against the Government. I think one ought to be credited with the best of intentions when one really comes forward with suggestions to fight famine, and if I have ventured to make a suggestion I have done so in response to a duty which I think Government equally like myself owe to the people of this country. It is difficult for men in the position of my hon'ble friend living in palatial buildings in Elgin Road and Theatre Road to conceive the appalling distress which prevails in mufassal districts when agricultural conditions become unfavourable—conditions which at the present moment are aggravated by the fact that the price of cloth and other commodities of life has taxed to the utmost the slender resources of the people of the land. My Lord, it was not in a spirit of opposition that I brought up this resolution before the Council. I do not know if I can be accused of being a perpetual antagonist of Government just as much as there are some persons in this Council who can be accused of going in favour of Government on every and any occasion whether Government take a reasonable attitude or not. There are people who always oppose the Government and there are people whose mission in life is always to support the Government, but I belong to neither category. When I put forward my suggestion it was with the best of intentions to suggest to Government ways and means for finding out necessary expenditure on famine relief operations. I placed before the Council my most earnest conviction that Rs. 2 lakhs will be absolutely insufficient to meet the needs of the situation. Two lakhs of rupees would not be sufficient to meet the funeral expenses of the dead, it would not be sufficient for the needs of the dead if there is a widespread famine. It is for this reason that I suggested that a larger allotment

should be made. With Rs. 9 lakhs to be got from the Government of India it would make Rs. 10 or 12 lakhs which I wanted for this purpose. There has been tremendous opposition lest the co-operative fund be depleted or the funds of the Sanitary Board, but this is also a duty of your Excellency's Government, and it is for your Excellency's Government to decide what to do in this matter."

The Hon'ble Mr. Cumming said :—

"Sir, I may be permitted to make two observations before this debate closes. The first is that I am sure there is really no difference of opinion about the propriety of making due provision for famine relief. If that general proposition is accepted, I must still protest against the abuse of the English language. The word 'famine' has a very definite signification. I have seen famine in the United Provinces; I have seen it in Bihar; but except for a certain period in Bankura there has not been in Bengal famine—as the word is really understood in the Famine Code—for almost twenty-five years.

In the second place I wish to observe that the total amount that has been allotted during the current year is not inconsiderable. Hon'ble Members should remember that considerable sums have been given for relief works for agricultural loans and for gratuitous relief. In the forthcoming year, the estimates of which we are discussing to-day, the total amount allotted under different heads, apart from expenditure which the district boards may make, is $8\frac{3}{4}$ lakhs; and as I have said before if, as time progresses, it is found necessary to spend more money in view of developing circumstances Government will be prepared duly to recognize and meet the new situation."

The resolution was then put and lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 6.

The following resolution stood in the name of the Hon'ble Babu Bhabendra Chandra Ray :—

This Council recommends to the Governor in Council—

(*a*) that the provision for gratuitous relief under the expenditure head "Miscellaneous" be raised from seventy-five thousand rupees to two lakhs of rupees; and

(*b*) that a deduction of Rs. 1,25,000 be made from the provision for Police buildings to counterbalance the said increase.

He said :—

"My Lord, in view of the provision already made under the head 'Famine Relief' in the revised Financial Statement, I think that I should withdraw this resolution."

The resolution was then, by leave of the President, withdrawn.

Babu K. M. Chaudhuri.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 7.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that no expenditure be incurred next year for the Dacca University pending the action taken on the recommendations of the Calcutta University Commission, and that the sum of Rs. 3 lakhs set free be spent for the spread of primary education.

He said :—

"My Lord, before I say anything on this resolution I think I should make my ground clear in order to guard myself against any attack coming from any of my friends from the Eastern quarters interested in the establishment of the Dacca University. I know fully well that it is a decided proposition now and that it is sure to come into existence at no distant future. But I think the sum set apart in the next year's Budget could be spent for some more useful purpose for the present. Your Excellency's announcement, if I remember aright, at Dacca was that at least Rs. 15 lakhs would be spent next year for the furtherance of that scheme. It is mentioned in the Budget that Rs. 15 lakhs would have been spent, but for reasons known to the department at least Rs. 12 lakhs would be set back and only Rs. 3 lakhs would be spent. As far as I understand it is pending the consideration of the recommendation of the University Commission upon the report of which body the Government's policy will have to be considered, which will surely take some time. It may be, my Lord, that at the end of the year we would hear that money could not be spent. This year at least a very large sum could not be spent for reasons best known to the department, though we hear that out of the Rs. 18 lakhs shown to be unspent some amount had been spent for the construction of building and so forth. My idea therefore is that this paltry sum of Rs. 3 lakhs may not be provided in the next years' Budget. The establishment of the Dacca University would require a large sum and your Excellency's Government would be able to secure that amount out of the cash balance with the sanction of the Government of India which can be provided next year. No useful purpose will be served by an expenditure of Rs. 3 lakhs. As soon as my hon'ble friend Babu Surendra Nath Ray's Primary Education Bill is passed into law, which, I hope, is sure to be passed on the 27th of this month, a large sum would have to be spent by Government to give it a fair start, encouraging the mufassal municipalities to come forward and take advantage of the provisions of the Bill: and it is for that purpose that I have put forward my proposal that the Rs. 3 lakhs set apart for the Dacca University be allotted for the spread of primary education. I know Government are very anxious to develop the village life, and the village self-government is also very likely to come into existence; but in the village life the most important thing is the adequate arrangement for the primary education. So any sum that can be spent for primary education ought to be spent at any cost. I need not say much on the importance of the primary education, but whatever is done either for imparting improved knowledge in sanitation or any knowledge in agriculture or industrial knowledge, primary education is the basis. The sum set apart for primary education, to my mind, is very inadequate. I do not like to take much of the time of this Council by discussing this question and with these few words I beg to recommend the resolution for the acceptance of this Council."

Babu S. N. Ray.

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord. I have great pleasure in supporting this resolution. It appears that your Excellency's Government have already made some provision for the development of primary education in rural areas. I find in page 33 of the draft Financial Statement that there is a lump-grant of Rs. 5,50,000 for the development of primary education, but it appears that a large portion of this amount will be spent in rural areas. It appears that the following are some of the items :—

	Rs.
Increase in the pay of teachers of aided primary schools ...	80,000
Establishment of primary schools for girls in Panchayeti unions	30,000

and so on. I find that out of this Rs. 5,26,000 only Rs. 78,000 or in round numbers about Rs. 80,000 may be said to be allocated to municipal areas, and one of them the following :—

Building for model primary schools for girls ...	Rs. 16,000

Even if the whole amount be spent in municipalities, the grant to local bodies to enable them to raise the rate of stipends of untrained teachers in aided primary schools and muktabs for boys will be Rs. 60,000, provision for lower primary schools in municipal areas Rs. 2,664, making a total of Rs. 78,664, but as my friend has already suggested that if the Primary Education Bill be passed, a sum of at least 3 lakhs will be necessary for the development of primary education in municipal areas. I find from the opinions given on the Primary Education Bill one opinion given by Mr. Samman who was the Education Secretary to your Excellency's Government and he gives this opinion. He says : 'Municipalities already spend more than one lakh of rupees a year on education of all sorts. With a population of less than 2 millions only, four lakhs would be required for universal free education of boys between the ages noted. The difference of 3 lakhs represents an incidence of only 2½ annas a head of the municipal population of Bengal outside Calcutta.'

According to his estimate, and he was an authority on these matters, it will be necessary to have at least 3 lakhs of rupees for the development of primary education in municipalities. Of course I admit that we ought to levy an education cess for the development of primary education in mufassal municipalities, but if we depend entirely upon education cess for the development of primary education, then all I can say is that primary education will not be developed. We require some help from Government, and I find also from the last report of the progress of education in India a remark by the Education Secretary to the Government of India, Mr. Sharpe, that the Government ought to be prepared to meet some portion of the cost for the development of primary education and ought not to leave everything to local bodies. The other day when the Hon'ble Mr. Sarma asked for a grant of one crore and 80 lakhs for the development of education and sanitation of the country, the Finance Member said that these are local matters and ought to be tackled by the local Governments. So I think it is a matter which entirely rests with your Excellency's Government. I find that provision has been made for all and sundry requirements, but no provision has been made for the development of primary education in the mufassal municipalites. I am glad to see that a very good sum, I think about

5 lakhs of rupees, has been set apart in the Budget of the Calcutta Corporation for the development of primary education within the town of Calcutta and that without the imposition of an education cess. So it will be necessary to make some allocation of funds for the development of primary education in the mufassal municipalities.

Then as regards ways and means, I do not agree with my hon'ble friend it is for your Excellency's Government to find out ways and means."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, the resolution before us has been worded in the usual characteristic picturesque way of the Hon'ble Member, but I am not very much concerned with that. From the point of view of Government what I have to say is that it is quite impossible for the Government to divert the three lakhs of rupees from the scheme intended for the Dacca University. On the question of primary education generally, which has been brought forward not only by the hon'ble mover of this resolution, but by the gentleman who has followed him, I shall say a few words when I conclude. Meanwhile, I would like to point out to the hon'ble mover of the resolution that I confess I cannot follow the working of his mind regarding the Dacca University scheme. He does not want that the Dacca University scheme should not be proceeded with, but then he argued that because he thought all the money would hardly be spent, that it may be spent on something more useful. Well, of course primary education is undoubtedly a matter on which, as this Council knows very well, the Government is only too anxious to make a real start, but when it comes to taking that money from the Dacca University, I am afraid that that cannot be done. The hon'ble gentleman has himself said that we are pledged to the scheme ; he has himself referred to the speech your Excellency made the other day when at Dacca in connection with making an early start with this scheme, and in spite of these two very important facts, he still wants to defer making any expenditure during the current year. He knows full well, if he had the time to read this morning's paper, that the report of the University Commission is likely to be sent in soon, and that the European members of that Commission are about to proceed to England after their work. What does all this mean ? It means that before very long the Government may naturally expect to know what the Commission have recommended. I may say at once that in the matter of the Dacca University, the Government are bound to fulfil its pledges. What is more, we have been recently told by the Government of India that they consider it very important that no time should be lost in giving effect to such of the proposals of the Commission as may be approved after full consideration, that in view of this we must really begin the work during next year. I therefore do not see how we can possibly expect the large saving which the Hon'ble Member says we shall have in the provision we have made for the University requirements. It is a curious working of the mind, too, when we come to realise that when the question of primary education is perhaps more before the country than it is now, whether Hon'ble Members of this Council would propose that higher education is to suffer at the expense of primary education. On this large question I do not propose to go into at present.

I shall now turn to what has fallen, curiously enough, from the Hon'ble Member in charge of the Primary Education Bill which he thought would be passed into law at the last meeting of the Council. He has brought in a Bill for the introduction of a voluntary system of education for rural and urban

Babu K. M. Chaudhuri.

areas, and to-day we find him not only stating facts which we know to be true, namely, that we cannot entirely depend on the levy of an education cess, but what is surprising is that he is supporting this resolution because he is jealous that we have provided Rs. 5½ lakhs for district boards and not for municipalities; well, that is a very narrow point of view to take, especially when he knows that ample opportunity will be given to municipalities when the new Bill becomes law to try and improve their requirements so far as the needs of primary education in these areas are concerned. My Lord, I regret that I cannot recommend to this Council the acceptance of the resolution moved by the Hon'ble Babu Kishori Mohan Chaudhuri. I think that the Government have delayed long enough giving effect to the recommendations of the Dacca University Commission, and it was only because Government thought that as the Calcutta University Commission had been appointed that they stayed their hands for the time being so as to enable them to give effect to whatever changes in the Dacca University scheme the Commission might recommend. This Government did not for a moment think and do not think that the University Commission would in any way recommend the abandonment of the scheme or modify it in such a manner as would again mean further delay, and I therefore recommend that the resolution be opposed."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am sorry I am opposed in this by the Hon'ble Maharajadhiraja Bahadur of Burdwan, the Member in charge of Education. I am not really convinced that this paltry sum will be of any avail in giving a start to the establishment of the Dacca University. Of course, I saw from your Excellency's announcement at Dacca that at least Rs. 16 lakhs would be provided, and if that was so, I should have been the last to say anything about it. I think if it be necessary to give the Dacca University a start, Rs. 3 lakhs would be a very unsuitable sum to provide for it. What I mean, my Lord, is that if it is urgently necessary to start the college this year, then a large amount which is in the hands of Government may be made available. I have seen the detailed Budget and I have not heard any details of the Rs. 3 lakhs which it is proposed to provide in next year's Budget. The only thing which struck me is that the sum is a very paltry one and to give a start to the Dacca University that sum is quite inadequate. If it be necessary to do something for the satisfaction of the Dacca people, that a start is being made, that can be done in other ways. Without seeing the details of the Budget I am sorry I have not been convinced as to the necessity for keeping this sum especially reserved for the purpose and not spending anything out of it for any better purpose. Though there is some provision for the levy of an education cess, still if anything is to be done to give a fair start to the working of the Primary Education Act when it is passed into law, I think Government should be liberal enough to spend a decent sum for the help of the mufassal municipalities for the present. It is with this view that I brought this motion forward, and I would have been glad if anything came of it. I propose Rs. 3 lakhs; if Government think a lesser sum would be enough, I would accept it, but I am sorry, my Lord, that I am opposed entirely. It was far from my mind to doubt the utility of the establishment of the Dacca University. I did not bring forward this proposal with any idea that we should discourage the establishment of the Dacca University in any way. My idea was that to give a fair start to primary education, an adequate sum is necessary and that Government should come forward with some substantial help, and in that view I brought forward this proposal. I still hope that Government will see their way to accept the resolution."

Babu K. M. Chaudhuri.

On the question being put, a division was taken with the following result :—

Ayes—5.

The Hon'ble Rai Radha Charan Pal Bahadur
" " Rai Mahendra Chandra Mitra Bahadur
" " Babu Surendra Nath Ray.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—36.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I. K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr F. C. French, C.S.I.
" " " J. Donald, C.I.E.
" " " L. S. S. O'Malley, C.I.E.
" " " H P. Duval.
" " " M. C McAlpin.
" " " F. A. A. Cowley.
" " Col. J. K Close, M.D., I.M.S.
" " Mr. W. C. Wordsworth.
" " " C. F Payne.
" " " S. G. Hart.
" " Khan Bahadur Maulvi Aminu Islam.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Sir Nilratan Sarkar, Kt.
" " Mr. R. V Mansell, O.B.E.
" " " W. H. H. Arden-Wood, C.I.E.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. L. V. N. Meares.
" " Babu Siv Narayan Mukherji.
" " Kumar Shib Shekhareswar Ray.
" " Rai Debender Chunder Ghose Bahadur.
" " Mr. F. W Carter, C.I.E., C.B.E.
" " " W E. Crum, O.B.E.
" " " W. H. Phelps.
" " " G. A. Bayley.
" " " H. R A. Irwin, C.I.E.
" " Dr Abdulla-al-Mamun Suhrawardy
" " Maulvi Abul Kasem.
" " " A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Mr. Altaf Ali.
" " Rai Sri Nath Ray Pahadur.

The following members abstained from voting:—

The Hon'ble Mr. Provash Chunder Mitter, C.I.E.
" " " Arun Chandra Singha.
" " Babu Bhabendra Chandra Ray.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" " Mr. Aminur Rahman.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Akhil Chandra Datta.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The Ayes being 5 and Noes 36 the motion was lost.

Babu A. C. Datta ; Maulvi Abul Kasem.

APPENDIX TO THE LIST OF BUSINESS—Item No. 8.

In the absence of the **Hon'ble Babu Akhil Chandra Datta** the following resolution which stood in his name went by default:—

This Council recommends to the Governor in Council—

(*a*) that suitable provision be made in the next year's Budget to give effect to the scheme of water-works for the Chandpur Municipality; and

(*b*) that the necessary amount be taken out of the provision of Rs. 1,25,000 in the Land Revenue Budget as a first instalment of the expenditure to be incurred on circle officers.

AFTER LUNCH.

APPENDIX TO THE LIST OF BUSINESS—Item No. 9.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that the sum of Rs. 1,620 allotted for the grant of personal allowance of clerks in the office of the Commissioner of Police, Calcutta, be added to the grant for the provision of primary scholarships.

He said :—

"My Lord, by moving this resolution I beg to bring two facts to the notice of your Excellency's Government. Firstly, it is proposed in the Financial Statement to grant personal allowances to five of the clerks in the office of the Commissioner of Police, and it appears from the statement that these clerks draw a salary of Rs. 100, Rs. 125, Rs. 150 and Rs. 200 and it is proposed to add to their remuneration by the grant of personal allowances, and the only reason that I find in the statement for the grant of these allowances is that they have had no increase of pay for 5 years. My Lord, I beg to submit that if an increment is to be granted in the pay of ministerial officers, the case of the clerks and assistants in the offices of District Magistrates and District Judges should receive prior consideration than that of those ministerial officers employed in Calcutta. The head assistants and superintendents as well as the senior assistants in a Magistrate-Collector's office and the sheristadars, nazirs and head clerks in the District Judge's office have to perform certainly more responsible duties than the assistants in the office of the Commissioner of Police and their work is certainly much harder than that of these clerks. I am afraid, my Lord, that in the case of the presidency police the Government have to concede generally the proposals made by the authorities of the police, and in making these allotments the cases of other officers of Government are not properly considered. I suggest that this sum may be added to the funds allotted for the provision of primary scholarships and I make this suggestion because I think the amount allotted for these scholarships which is a little over Rs. 2,000 is not sufficient for the purpose. I beg to submit, my Lord, that this grant of personal allowance is to my mind a little bit of extravagance and should not be granted, and that the money can be better utilized either by increasing the grant for primary scholarships or in even other better purposes than this. With these words, my Lord, I beg to commend the resolution to the acceptance of the Council."

Mr. O'Malley : Maulvi Abul Kasem : Babu K. M. Chaudhuri.

The Hon'ble Mr. O'Malley said :—

"My Lord, the hon'ble mover is under a misapprehension in stating that only Rs. 2,000 has been allotted for scholarships. If he will turn to page 140 of the Civil Budget Estimates, he will see that altogether Rs. 14,500 are allotted for upper primary scholarships and Rs. 1,500 for lower primary scholarships ; the total provision for primary scholarships in the Budget therefore comes to Rs. 16,000 and this figure is based on actual requirements. It represents the sum which Government provides for primary scholarships, and in addition to them scholarships are also provided by local bodies. The resolution starts with the assumption that the sum of only Rs. 2,000 is allotted for primary scholarships, and that it is necessary to increase it by Rs. 1,620 to bring it up to the total of Rs. 4,000 ; and I think therefore that when a total of Rs. 16,000 has already been provided, it will be realised that the object of the mover is met. I submit also that it would not be fair to dock the clerks of the office of the Commissioner of Police of their allowances. The sum of Rs. 1,620 would not go far in providing scholarships throughout the province, but its loss would mean a great deal of difference to clerks living in Calcutta in these days of high prices, who receive these allowances only in cases of hardship and long service on the same pay. For these reasons, I am unable to recommend the resolution to the acceptance of the Council."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, when I gave notice of this resolution I never intended to press it to a division, but I only wanted to bring to your Excellency's notice and that of your Excellency's Government the fact that the money was wanted for primary scholarships and also the fact that it is not fair to grant personal allowances to clerks in the office of the Commissioner of Police whose office is situated at Government headquarters. The Hon'ble Mr. O'Malley has said that it will not be fair to deprive them of these personal allowances in these hard times, but I submit, my Lord, that in these days the work of the clerks and ministerial officers in mufassal stations is much harder than that of the ministerial officers at headquarters. What I wanted to do was to submit for your Excellency's consideration and that of Government the fact that the first party who deserves consideration at the hands of the Government in the matter of personal allowance were the ministerial officers employed in mufassal offices, but if Government think otherwise I must submit to it and I must withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 10.

The Hon'ble Babu Kishori Mohan Chaudhuri moved the following resolution :—

This Council recommends to the Governor in Council that the increase in fee receipts and the savings, if any, for each of the Government colleges be spent for the improvement and development of that institution by bettering the prospects of the teaching staff and meeting other requirements of the college, and that necessary changes be made in the Budget accordingly.

Babu K. M. Chaudhuri.

He said :—

"My Lord, recently about a year ago, increment has been made in fee rates for the Krishnagore, Hooghly, Chittagong and the Rajshahi Colleges and last year I brought forward a resolution—that fee rates should not be increased—for the benefit of the poorer section of the student community. Unfortunately I was not successful. The reply of Government was that a uniformity of rate should be observed. I expected not only a uniformity in fees but a uniformity in other advantages, that uniform educational facilities would be provided and the money would be utilized for that purpose. I do not know what has been done about the other colleges—I mean the Krishnagore, Hooghly and the Chittagong Colleges—but I know something of the Rajshahi College. The number of students in Rajshahi College is about 800, next to Dacca I believe, where the number is about 900, only a difference of about 100 students, and in other colleges, namely, Krishnagore, Hooghly and Chittagong Colleges, the number does not exceed 250. The fee rate in the Rajshahi College has been raised from Rs. 4 to Rs. 6, thus effecting a monthly gain of about Rs. 1,500 with 800 students which comes to about Rs. 18,000 annually. If this increment be utilized for providing facilities in educational matters and other requirements of the college, the institution will no doubt be much benefited, but unfortunately this is not done, inasmuch as there is not a single officer of the Indian Educational Service in that college. I noticed from the last quinquennial report that there are about 11 officers of the Indian Educational Service in the Dacca College and even in the Krishnagore, Hooghly and Chittagong Colleges there is one such officer in each of these institutions, though their number of students does not exceed 250. On account of the absence of an officer of the Indian Educational Service in the Rajshahi College the senior officers in that college do not get the benefit of officiating vacancies, while in other colleges the junior professors do benefit by acting allowance, and the result has been that some of the best professors have left the institution for better prospects and some are trying to go elsewhere. That is a thing, my Lord, which I think that Government should not consider reasonable, and it is for this reason that I have brought forward this resolution to draw the attention of your Excellency's Government to it. If the students are to have the benefit of getting lessons from the best professors in the department the prospects should be made attractive to draw the best men to the service. In this year's Budget there is a provision of Rs. 120 a month for the appointment of a lecturer in Mathematics. I think a man standing high in Mathematics cannot be satisfied with Rs. 120 for any length of time. One may be very anxious to get the appointment, but after a year or so he will be dissatisfied and will go elsewhere. As far as I know there is no adequate arrangement for the library in the Rajshahi College. There are lots of other requirements. Then there is the question of the erection of a hostel for the construction of which only Rs. 50,000 has been allotted, though there has been such a large increase in the recurring income, while the cost of a decent hostel cannot be anything under 2 or 3 lakhs. It is more for drawing the attention of your Excellency's Government to this inequality of advantage in the Rajshahi College that I bring forward this resolution. My proposal is that if an uniformity of rate is to be observed the uniformity of advantages for imparting education in all these colleges should also be considered. Then there is the case of the Professor of Mathematics who is serving for the last 30 years with credit and that of the Principal of the institution who, at a time when Government was anxious to abolish the institution, saved the situation, and it is now one of the most efficient Colleges in the mufassal, still nothing has been done for them, and I hear that they are discontented with their present appointments. I therefore venture to think that arrangements should be made for giving two or three officers of the Indian Educational Service to this college, and if the professors who are serving there for a long time are thought competent may be promoted or transferred elsewhere, they being replaced by men of superior merits. Such an arrangement will benefit the students also considerably."

The Hon'ble Mr. O'Malley said :—

"My Lord, the hon'ble mover refers in this resolution to certain orders of Government which were passed nearly two years ago which raised the fees in four Government colleges from Rs. 4 and Rs. 5 to Rs. 6 a month. My hon'ble friend now wishes that the additional income obtained from fees in these colleges should be spent on their improvement and development. He has fortified his case by referring solely to the Rajshahi College in which he himself is keenly interested, and as I have told him before I am myself interested as having been at one time President of the Governing Body. As regards his reference to savings, I presume he means the excess of fee receipts over the cost of maintenance. I can assure him that in none of these schools are there any savings at all. After allowing for the receipts from fees and endowments, the last of which are comparatively small—the amount is only Rs. 17,000 a year—there is a deficit every year in every Government college, which has to be made good by Government. So far, therefore, from the increased fees to which I have referred having resulted in savings, there is still a heavy deficit. I will quote some figures.

The Krishnagore College costs Rs. 56,000 a year, of which only Rs. 15,000 is obtained from fees. In the Sanskrit College, another college in which fees were increased, the fees after the increase accounted for Rs. 11,000, and there is a difference of Rs. 17,000 which is made up by Government. The cost of the Chittagong College is Rs. 49,000, of which only Rs. 26,000 comes from fees. The expenditure on the Rajshahi College is Rs. 89,000 and fees and endowments account for Rs. 65,000, leaving Rs. 24,000 a year to be found by Government. There is no surplus to be spent on the improvement and development on these colleges ; they have to depend on the grants made from our general revenues. The increase in fees has undoubtedly increased the income which Government derive from the colleges, but they are far from being paying concerns ; and as I shall mention shortly, Government has incurred considerable additional expenditure since the fees were increased and will shortly incur more. In any case it is out of the question for Government to treat each college as a separate entity in this way. Government is anxious to improve the colleges in which fees have been increased ; but it is also equally anxious to improve colleges in which fees have not been raised. The claims of all the different colleges have to be considered and money allotted for their requirements according to the relative urgency of the reforms which have to be introduced. Apart from this, it would be out of the question to spend extra receipts in bettering the prospects of the teaching staff in four out of our eight Government arts colleges. The hon'ble mover has drawn rather a moving picture of the poor prospects of the professors and lecturers of the Rajshahi College, but I may remind him that the teachers and professors belong to graded services and they must receive the pay and promotion common to those services. It would be impossible to give them preferential treatment while they are at a particular college, say, the Rajshahi College, and to give them extra pay temporarily as a special concession merely because the fees in that college had been raised two years ago. If this were done, the teachers of other colleges would be clamorous for transfer to the Rajshahi College, simply in order to get the extra pay, and the teachers left in the other colleges would have good cause for complaint.

I would remind the hon'ble mover too that since the fees were increased Government has done a great deal for these colleges. My hon'ble friend has referred to the proposal to entertain an extra lecturer in Mathematics at the Rajshahi College. There is an increasing number of students taking Mathematics up to the B. A. and B. Sc. standards and the work has proved to be too much for the existing staff, and it is therefore

sought to relieve the staff by appointing an extra lecturer. Then again, Government has provided the sum of Rs. 50,000 for a new hostel. Here I think the hon'ble member is under some misapprehension. He assumes that that is all that Government intend to give for the hostel. He says that the hostel will cost 2 or 3 lakhs. I think his estimate is somewhat excessive—it may have been raised since I last saw the plans—but I think it is under two lakhs. The half-lakh now budgetted for is merely the first instalment of the cost of that scheme. The whole amount has not been provided for in one year because the building will not be built in one year; the requisite amount sufficient to carry out the scheme will be provided in subsequent years. He has neglected the case of other colleges like Krishnagore for which Government is doing a great deal. It is important that these mufassal colleges should be developed, especially in regard to the selection of subjects taught, because in the mufassal colleges, unless there is a considerable variety of subjects, students will flock to Calcutta and the mufassal colleges will not attract them. The Krishnagore College up to 1917 had only limited affiliation. It was affiliated in Political Economy, Political Philosophy and Persian up to the B. A. Pass standard, and the only affiliation up to the B. A. Honours standard was in Sanskrit, which does not appeal to a very large number of students. It was desired to extend the affiliation. In order to do that a number of additional appointments were made last year—a professor of English, a lecturer in English and a teacher of Mathematics and a professor of Philosophy. The college has consequently been able to obtain affiliation in English up to the B. A. Honours standard, in Philosophy up to the B. A. Pass standard, and in Mathematics up to the B.A. and B.Sc. Honours standards. Additions to the building and equipment of the college as well as to its library have also been made, and Government is now considering the question of appointing a Professor of Political Economy and Political Philosophy. The efficiency and popularity of the college have been greatly increased by these measures since the fees were raised. To take the case of Chittagong, another college in which the fees were raised, only last year Government appointed a lecturer in English, a lecturer in Logic and a professor in Economics so as to allow of affiliation in English up to the B.A. Honours standard and in Economics up to the B. A. Pass standard, and in Logic up to the Intermediate standard. The Hon'ble Member has also referred to the case of the Hooghly College. He is under a misapprehension in thinking that the fees were raised in that college. Before 1917 the fees stood at Rs. 6 and they have remained at that figure. I may however tell him that in that college an additional Professor of English was appointed last year. It is also proposed to extend the subjects taught at this college and to obtain affiliation in Philosophy and Economics up to the B. A. Pass standard from the commencement of the next session. It is on this account that Rs. 5,500 has been provided in the Budget for a Professor in Economics and a Professor in Philosophy as shown at page 71 of the Financial Statement.

I am afraid, my Lord, that I cannot recommend the resolution for the acceptance of the Council."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am glad that attention is being given to the reforms of these colleges, but what I complain of is this :—I know that Government is spending a good deal on these colleges, but what I mean is that there is no uniformity of expenditure in these colleges. A large sum is spent for Rajshahi, but the expenditure per head would not be more than Rs. 50 or Rs. 52—it ought to be Rs. 150 per head. In the Presidency College it is of course very high ; in Dacca it is over Rs. 200. Government in introducing a uniform fee rate should see that there is uniformity of advantages allowed to

the students as well as to the teachers. I explained in detail the difficulties of the professors in the Rajshahi College. I understand that Chittagong and Hooghly are going to be affiliated in Economics and by that arrangement they are going to have professors of the Indian Educational Service for Economics. In the Rajshahi College in the last 6 or 7 years, they have been teaching Economics—it is only affiliated in Pass standard—and a man in charge of Economics is a lecturer on Rs. 100 or Rs. 150 a month—and the result is that the man is anxious to leave and is trying to secure an appointment either in the Hooghly or Chittagong College. If there is a new affiliation the man who is doing good work for the last 6 or 7 years ought to be given some preference, but that has not been done and in other colleges where there is new affiliation, men in superior service are going to be appointed. In the case of the Rajshahi College, the present incumbent is anxious to leave. My point is that if there is some increment in fee rates—I do not mean to say Government is going to be relieved of the entire charge for the college—that increment should be utilised in the improvement of the college. The per head expenditure in the Rajshahi College was previously about Rs. 50 or Rs. 52; it is now come down below Rs. 30; that should not be the case. It is to bring these inequalities to your Excellency's notice that I brought forward this resolution. I do not press for any decision at once. With these remarks I beg to withdraw my resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 11.

The Hon'ble Babu Kishori Mohan Chaudhuri moved the following resolution:—

This Council recommends to the Governor in Council—

(*a*) that provision be made for additional medical schools either in Calcutta or in suitable mufassal districts other than Burdwan, as may be recommended by a special committee appointed for the purpose; and

(*b*) that the same be met from the allotment of Rs. 1,25,000 provided for the appointment of circle officers.

He said:—

"My Lord, the arrangements for medical help in the mufassal are very inadequate. I know that in my thana, though there are over 80 villages, with a population of 2 lakhs, there are only two or three qualified civil hospital assistants under the service of the district board, and there is no other qualified doctor there. This is the case in the interior of Rajshahi. I believe that this is the case almost everywhere in the mufassal in this Presidency. The other day my hon'ble friend, Mr. P. C. Mitter, was giving me details of the state of medical aid in the mufassal, and he has made a special study of this, and I hope in this resolution he will see his way to say something about the state of medical help in the mufassal. There are some arrangements for municipal town headquarters of each district where there is a supply of medical practitioners, but the state of things in the mufassal is very deplorable. Your Excellency's Government are anxious to develop the resources of village life, and the proposed Act of Village Self-Government that is going to be passed very soon is an instance. The Act will no doubt develop the resources of the village and will see to the needs of sanitation and agriculture and so forth, but anyone having means will naturally be anxious to leave the village for the safety of his life and for the sake of his health, owing to the fact that there is no adequate arrangement for medical help in the

mufassal. In this state of things, my Lord, it is urgently necessary that some more medical schools should be started. I am glad arrangements have been made for opening a medical school at Burdwan and that enquiries had been made for starting a school elsewhere, but the difficulty of want of suitable hospitals stood in the way. But in Calcutta there are several hospitals, such as the Mayo Hospital, the Sambhu Nath Pundit Hospital and other institutions where a medical school on the lines of the Campbell Medical School can be started. Recently there is a great demand for medical education, and most of the students applying for admission in medical schools are being disappointed. On the one side there is great demand and on the other side there is great anxiety for it. In the mufassal, I think some quacks supply the need or some homœopathic doctors are doing something, but that is not enough, and that is no real help. In this state of things my proposal is that some more money should be spent on medical schools. I see that there is an allotment of Rs. 1,25,000 provided for the appointment of circle officers who are to educate the people in the better management of local institutions to be started under the new Act, I mean the Village Self-Government Act. As far as I have been able to follow, I think the final arrangement is that the local boards are not going to be abolished as was the first proposal. The officers under the district boards and local boards for the present may be sufficient for the purpose of additional supervision. The people should live first and then they should have political education or political training. So these circle officers I do not think will be of very great utility to the villages. When the Act comes into operation there will be many other officers who will be able to educate the people in respect of political education and training, and the appointment of circle officers may be postponed for the present. The present need of medical aid may be considered and the appointment of circle officers postponed for the present."

The Hon'ble Mr. P. C. Mitter said :—

"As the Hon'ble Member has invited me to speak I should like to indicate that I am strongly in favour of clause (*a*) of the resolution, but I am sorry I cannot support clause (*b*) of the resolution. The question referred to in clause (*a*) of his resolution is what I consider to be one of utmost importance for Bengal and for rural Bengal specially. At the present moment we have 3,000 registered medical practitioners for the whole of Bengal, of whom about 2,000 practise in municipal areas where 3 out of our 45 millions live. So that in rural areas we have less than 1,000, or in other words we have one qualified medical man to every 42,000 of inhabitants. It is apparent that this is very inadequate. In England I believe there are about 1,200 or 1,250 inhabitants to one medical man. I speak subject to correction, as I speak from memory. I think the average in Europe is 1 to 1,500. Although our country is poorer in the rural areas of Bengal medical men can make a living by earning fees which are comparatively smaller than what medical men in Europe require. Bengal however is so insanitary that there is greater necessity of having more medical men in rural areas. I venture to think, my Lord, that if we have 10,000 or 12,000 more medical men in rural areas it will mean about 3,000 or 3,500 men to one medical man. Therefore these medical men will not only be able to make a living for themselves, but they will be filling up a great necessity of society and society will be very greatly benefited by them. At the same time these medical men will relieve congestion in clerical appointments and other professions. For this reason I am strongly in favour of clause (*a*) of my hon'ble friend's resolution.

As regards clause (*b*) I for one venture to think that if we are to take away the allotment made for circle officers then the line on which the future

development of rural areas and the village union committees are contemplated by Government would be seriously interfered with. I do not think that the question of the future programme of medical education is a question which can be properly considered and adequately given effect to in a discussion on the Budget by suggesting that a sum be taken away from this particular item or that particular item. I would therefore appeal to my hon'ble friend to withdraw his resolution and at the same time I would appeal to Government to take this matter into their consideration and formulate something definite next year by which Government can provide for more medical men. There are many hospitals where with comparatively small expenditure provision for medical education can be arranged for. My friend has referred to the Mayo Hospital, Sambhu Nath Pundit Hospital and various other hospitals where at a comparatively small expense medical education can be provided for. But it is a problem which must first of all be considered by the Government in consultation with its own officers. For these reasons I strongly ask my hon'ble friend to withdraw his resolution."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I wish to say a few words with reference to this resolution. The need of more medical institutions in this country is admitted on all hands and I think it is in contemplation of Government to establish more medical institutions. It appears that the Hon'ble Babu Akhil Chandra Datta has also given notice of a resolution to have a medical institution in Comilla and Sir Deba Prasad Sarbadhikari has also given similar notice to raise the status of the Medical School at Dacca to that of a college. All these resolutions point to the fact that people feel the need of more medical men in the country. I think it was in the year 1913 that the public came to know that more than 500 boys apply every year to the Calcutta Medical College for admission, but only about one-fourth of the number got their admission. That is in the Calcutta Medical College. In the Campbell Medical School I think a larger number of boys used to apply and they were refused, and the reason given is that there is not sufficient laboratory arrangements for all these boys. The best solution of the difficulty would be, I think, to have more medical institutions outside Calcutta, but to have more medical institutions outside Calcutta it is necessary that there should be proper hospital arrangements in mufassal towns, and unless there are proper hospitals it is useless to have medical schools. I think about two years ago Dr. M. N. Banerjee moved a resolution in the Supreme Council to impart medical education in vernacular and to have a number of such institutions all over the country. That resolution was accepted on behalf of Government by the then Surgeon-General Sir Pardey Lukis, but since then it appears that nothing has been done. In answer to my question at the last meeting of the Council as to whether anything has been done towards this direction, the answer given was in the negative. Though that resolution was accepted by the Imperial Council it appears that nothing has been done by the local Governments, at least by your Excellency's Government. Then as regards the ways and means, I quite agree with my Hon'ble friend, Mr. Mitter, that this item of Rs. 1,25,000, which has been allotted for the appointment of circle officers, ought not to be diverted to any other purpose. If the Village Self-Government Bill be passed into law, as we hope it will be in April next, it will be necessary to appoint these circle officers in order to give the union boards a good start, and I think not only Rs. 1,25,000 but more money will be needed if we want a very large number of union boards all over the country. So in these circumstances I think this allotment of Rs. 1,25,000 should not be diverted from the purpose for which it has been made. I need hardly say that Government will be able to see their way to provide funds for this purpose from another allotment."

Sir Henry Wheeler.

The Hon'ble Sir Henry Wheeler said :—

" My Lord, this resolution is one of three which deal in varying aspects with the same subject, and it may possibly shorten the discussion hereafter, and enable a more comprehensive consideration of the whole question, if I now make remarks which are more or less applicable to them all. The first resolution is that which has just been moved and which recommends the opening of additional medical schools at places to be determined by a committee. The second is to open a medical school at Comilla, and the third, so far as I am now concerned with it, is to open a medical school either at Mymensingh or Chittagong. Therefore they all have the same object in view, namely, an increase in the number of medical schools, though two of them are more specific than the present one as to where they want the schools to be located.

With the desirability of offering additional facilities for medical education in Bengal the local Government are in agreement, but I would venture to utter a word of warning against our being carried away by the appreciation of the medical needs of the country (a striking demonstration of which was afforded by the recent influenza epidemic) into thinking that we should embark headlong on an indiscriminate policy of placing a medical school at any district headquarters which in any way could be imagined to lend itself to it. We must proceed with caution. We have got to consider the facilities of the particular centre we are choosing, the opportunities it offers for supervision and hospital practice, and the area from which it is likely to draw both patients and pupils, as well as other incidental factors. But, Sir, we admit the need of increasing the number of these schools, and in our present Budget we have taken a step in that direction by making provision for a school at Burdwan. That is a beginning of a forward policy, and for the present I submit that we would do well to complete this scheme, and see how it works before we proceed to rather indiscriminate expansion. The provision of one lakh is not sufficient even to complete the Burdwan scheme. The total capital expenditure involved is Rs. 1,57,000, while if we add another desirable feature, a hostel, it would cost another one and-a-half lakh. So we may reasonably finish what we have begun before embarking on anything new.

I would also like to explain to the Council the circumstances in which we chose Burdwan, especially as one of the suggestions of the Hon'ble Babu Kishori Mohan Chaudhuri is that we should send round a peripatetic committee to discover other centres. Most of the facts which are relevant in this connection are already known to us, and when we selected Burdwan, we had regard to what the alternatives were. First of all, there were certain alternatives in Calcutta. There was a possibility in connection with the National Medical School of Dr. Mullick, which was examined very carefully by a special committee, but which, after full consideration, did not appear to afford a thoroughly satisfactory solution. The financial position was in no sense assured; the aid which might have been expected from private sources was vague and ill-defined; the buildings could never have been made entirely satisfactory for the purpose; the facilities for clinical teaching would have been inconvenient, and, at best, it would have meant opening another medical institution in Calcutta, thus adding to the congestion of students which already exists in this city. On the educational side we are always talking of the evils of that congestion, and we have to spend large sums on hostels, etc., in order to try to remedy them. Therefore it is only reasonable that we should exercise caution before embarking on a policy which can only add to the present number of such students. Another alternative was to start a medical school at Howrah. We have there a very fair hospital, thanks largely to the energies of Colonel Waters and the liberality of the local mill-owners, but there again, it would have been a repetition, in only a slightly less degree, of the objections of adding

Sir Henry Wheeler.

to the number of metropolitan students, while again it would have involved the acquisition of a site amid very expensive surroundings. I have given instances this morning of the Medical College, where every addition and every improvement which has been made or has to be made hereafter, runs into lakhs of rupees for land before even building operations are commenced. Therefore we discarded that idea. Mention has been made of the possibility of utilising the Mayo Hospital or the Sambhu Nath Pundit, but I believe the Belgachia authorities are rather anxious to obtain facilities for training their students at the former hospital, which, if that scheme went through, would not be available. No definite plan has yet been formulated, but the possibility was mentioned to me by Surgeon-General Robinson before he left.

Going outside Calcutta, we then looked round for other possible centres. We did not consider the particular case of Comilla, which the Hon'ble Babu Akhil Chandra Datta has indicated in his resolution because, I think, he must have been moved more by local patriotism than by arguments justifying any such expenditure. I have visited the hospital at Comilla. It is one of the worst mufassal hospitals I have ever seen, and only contains 28 beds, and it is impossible to start a school there.

Next we considered the case of Chittagong, which *primâ facie* offered various advantages. It is in an out-of-the-way corner of the province, which is apt to be neglected; it is a large railway centre and a port. However, we found that the local hospital, though it is a very fairly well-run institution, did not lend itself to teaching; it was inconveniently placed, and the wards were too narrow; the proposition, as put before us by the Civil Surgeon and the local officers, was that we should build an entirely new hospital on a better site. That obviously would have increased very largely the cost of the total project. Then we thought of Mymensingh, where the hospital has been rebuilt in recent times; a little while ago it was in financial difficulties, and last year in addition to sums that we had already given, we made a further grant, but just recently, I am glad to say, the leading zemindars of the district seem to have come forward and subscribed with commendable generosity, which, I hope, will enable the hospital to be placed on a satisfactory footing. But for the present it is rather in the making, and one objection to choosing Mymensingh was that it would be rather next-door to Dacca (at any rate it is not very far away), where we already have a flourishing school.

For these reasons we turned to Western Bengal, and chose Burdwan because there is a good hospital there and facilities which held out good expectations of the success of the school, not the least being the co-operation which was generously promised to us by the Maharajadhiraja Bahadur. For these reasons we settled upon Burdwan, and I mention these facts merely in order to explain to the Council that while we have sought for other places, there are in this matter factors to which weight has to be given. It is very easy to say—'Here is a district headquarters, let us place a medical school here,' but it does not follow that a suitable scheme would be achieved. I would further again remind the Council that in addition to this new school, we have given additional facilities by raising the number of admissions substantially both at the Campbell and the Dacca schools.

I would merely add a few words as regards the resources from which it is suggested that this new expenditure may be met.

Taking the three resolutions, the suggestions which cover the finding of the money are, firstly, that we should take it from the provision for circle officers. I may have more to say about that when the Village Bill comes up, and I will only remark briefly here that circle officers, to my mind, are an integral part of any scheme for the furtherance of village government in

Babu K. M. Chaudhuri.

Bengal, and the cutting away from the complaint, which is so often advanced against the provincial administration, that we do through the police so many things which in other provinces are done through the subordinate revenue establishments. Things have been done through the police in Bengal because there has been nobody else to do them, and the scheme of circle officers helps to remedy that defect by supplying a local agency which will be in constant touch with the villagers, and will enable them by encouragement and advice to foster the growth of small village organisations. It has been correctly remarked by one Hon'ble Member that the provision of Rs. 1,25,000 is only a portion of what will be required, if, as is hoped, there is a general development of village government and a gradual extension of it throughout the province.

The next resolution proposes to take the money from the nurses' quarters at the Medical College Hospital, but that would entirely frustrate progress in the improvement of that institution—progress which, it has been argued this morning, is already too slow.

The third resolution, in addition to mentioning public works, with which Mr. Cumming has already dealt, refers to the expenditure on the traffic police in Calcutta, and on the improvement of the prospects of European sergeants and inspectors. The traffic police is already working in this city, and the reasons for its employment can be demonstrated to anybody who cares to take a walk along the streets. The improvement of the prospects of European sergeants has been forced upon us in order to get men to fill those posts. At present there are 58 vacant posts, and some 35 which should be held by a better class of men, and we see no prospect of getting better men unless we offer better prospects. There is, therefore, no very satisfactory head amongst those which have been enumerated which lends itself to economy, and from which we can find sums for carrying out any alternative proposal.

For the reasons I have given I would represent to the Council that, in doing what we have done in making a beginning with this new school at Burdwan, we are taking a reasonable step towards the advancement of medical education, and a step which we had better complete befor we look round for fresh ground to break."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am glad that there is no difference of opinion as regards the necessity of the spread of medical education and I am glad that it is engaging the serious attention of Government and that Government is going to open a school at Burdwan. That is no doubt very desirable, but we should see how the circumstances stand. I am also glad to learn that arrangements have been made for taking more students at the Medical College as well as at the Campbell Medical School. I did not mean that a committee should be appointed and that it should go from place to place—a sort of peripatetic committee. Of course in view of the enquiries that have been made by Government, I do not think it is necessary to make any further enquiries. These enquiries may be taken as a guide when further provision is made for medical education either in Calcutta or the mufassal. As the matter is already engaging the attention of Government, I am not particularly anxious for a decision at once. As regards ways and means, there is some difference of opinion. As regards the utility of Circle officers, we should not anticipate the decision on a Bill which will come up for consideration very soon. If it is considered that there is need for further medical education and supply of more medical men, I am fully convinced that the Government has been and is doing their best. In that view I do not think I would press this resolution and beg leave to withdraw it."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEMS Nos. 12 and 13.

12. The following resolution stood in the name of the Hon'ble Babu Akhil Chandra Datta :—

This Council recommends to the Governor in Council—

(*a*) that a sum of Re. 1 lakh be provided in the next year's Budget for the foundation of a Medical School at Comilla ; and

(*b*) that this sum be taken out of—

(*i*) the provision of Rs. 4,30,000 in the Budget for the acquisition of land for the new nurses' quarters in the Medical College Hospital ; and

(*ii*) the provision of Rs. 2,00,000 in the Budget for nurses' quarters in the Medical College Hospital.

13. The following resolution stood in the name of the Hon'ble Sir Deba Prasad Sarbadhikari :—

This Council recommends to the Governor in Council—

(*a*) that provision be made in the Budget for a non-recurring expenditure of two lakhs and a recurring expenditure of Rs. 74,540 for—

(*i*) the purpose of raising the Dacca Medical School to the status of a Medical College ;

(*ii*) establishing a Medical School at Mymensingh or Chittagong as the Government may think fit ; and

(*b*) that the necessary funds—

(*i*) for the non-recurring expenditure be obtained by reducing the expenditure under the head 45—Civil Works in charge of the Public Works Department by two lakhs ; and

(*ii*) for the recurring expenditure be obtained by omitting the items of Rs. 50,000 for the improvement of pay and prospects of European Inspectors and Sergeants and the reorganisation and extension of the Indian Traffic Police, Rs. 24,550.

The President said :—

"No. 12 is already covered, so is No. 13(*a*) (*ii*), but I understand the Hon'ble Mr. P. C. Mitter will move 13(*a*) (*i*)."

The Hon'ble Mr. P. C. Mitter, in the absence of the Hon'ble Sir Deba Prasad Sarbadhikari, moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that provision be made in the Budget for a non-recurring expenditure of two lakhs and a recurring expenditure of Rs. 74,540 for—

(*i*) the purpose of raising the Dacca Medical School to the status of a Medical College ;

(*b*) that the necessary funds—

(*i*) for the non-recurring expenditure be obtained by reducing the expenditure under the head 45—Civil Works, in charge of the Public Works Department, by two lakhs; and

(*ii*) for the recurring expenditure be obtained by omitting the items of Rs. 50,000 for the improvement of pay and prospects of European Inspectors and Sergeants and the reorganization and extension of the Indian Traffic Police, Rs. 24,550.

He said :—

"After what has fallen from the Hon'ble Sir Henry Wheeler I propose to be very brief as regards the resolution which stands in the name of the Hon'ble Sir Deba Prasad Sarbadhikari, so far as item (*a*) (*i*) is concerned. My Lord, the question of the condition and the number of medical men generally in this province is a question which has great bearing on the question of the establishment of a medical college at Dacca. While I admit that Government has taken, if I may say so, a step in the right direction by establishing a medical school at Burdwan, the needs of the province are such that there is much scope for extension of medical education, whether it be in medical colleges or medical schools. My Lord, we are going to have a University at Dacca, and if we have a medical college at Dacca even on a modest scale, say, a college with about 50 students, it will be, I venture to submit, of great assistance to the University when it is actually established. My Lord, I hope in the residential University of Dacca the troubles and difficulties which we had in our University in Calcutta will not be repeated. I hope that the bulk of our students will not be forced to drift into law colleges for want of any better vocation in life. I hope, my Lord, that the establishment of this college will divert our youths from striving after Government appointments. When the needs of society require training of our educated men in the medical profession rather than in literary walks of life, we cannot blame those young men if they drift to law and Government service if the Government or the University does not provide for suitable education in other walks of life. I think it would be helpful if your Excellency's Government, which is so anxious to make the Dacca University a success, will do a little spade-work and start a medical college there in advance. My Lord, we know that medical education takes a fairly long time. It is generally divisible into three stages. The first is the stage of preliminary scientific training when the student is taught chemistry, physics, botany and zoology. In the second stage he is taught anatomy, materia medica, physiology and organic chemistry. In the third stage he is taught medicine, midwifery, biology, hygiene and medical jurisprudence. I believe it takes about six years. If your Lordship's Government is pleased to make a beginning now, the immediate expense will not be very much, but ultimately I think the expense estimated by my hon'ble friend Sir Deba Prasad Sarbadhikari, namely, a recurring expenditure of Rs. 74,540, would prove to be too little, but the question of ultimate expense is involved in the question of the total expense of the Dacca University as a whole. For the first year it will be the preliminary scientific course with which we shall be concerned. Of course we should not start a medical college unless your Excellency's Government is prepared to have a medical college there as soon as the Dacca University is started. But as I think your Excellency's Government will be so prepared, I venture to think that this is an additional reason why a beginning should be made as early as possible for starting a medical college at Dacca. The general aspects have already been discussed, and I do not propose to take up

the time of the Council long, but I would like to say this, my Lord, that after the last speech of the Hon'ble Sir Henry Wheeler, I do not think I would press for this resolution, if the Government would be pleased to accept the general idea of starting a college at Dacca. I leave it to the Government to find out whether money would be arranged from the grant for the Dacca University."

The Hon'ble Sir Nilratan Sarkar said :—

"My Lord, I have looked at the matter from the point of view of the future university of Dacca whether the University of Dacca would be complete without a medical college—I believe it will not be complete without a medical faculty. Such a defect would be extremely prejudicial to the interests of the University. In the first place such a defect would materially restrict the scope of the activity of the workers whose duty it would be to build up the fabric of the University. Many of the professors will miss the opportunity of making research work in connection with many of the sciences concerned in the study of medicine. Such a defect would also restrict the number of the careers open to the graduates of the University—careers which we need so much in Bengal, careers other than law. Sir, such a defect would deprive young men of the opportunity of growing under the constructive, creative and original influence of the training in the sciences of life. I have no doubt that very soon the defect of such a training would be found out in the new University if it were started without a faculty of medicine. Another effect of such a defect would deprive the University of the sympathy of future benefactors who would not come forward with endowments. No University in those days can depend upon grants from Government alone. The public must come forward with help and endowments, and it is not likely that the University without a medical faculty would enlist the sympathy or the enthusiasm of the public in this connection. It would be like a fungus baby with one of its most important limbs mutilated—not exactly a case of mutilation—but with one of the limbs stifled because already that limb is in a nascent state. Any medical school can be developed with a little effort into a well-grown college.

My Lord, there is the other side of the question—the question of indefinitely multiplying the number of medical men with higher training, but I submit that in our colleges the training given to medical students is not exactly what is called higher training in medicine. In Great Britain there is one standard of training prevailing in all the colleges and schools. In this country having regard to the circumstances prevailing here at present, there are two standards of training prevailing in different schools and colleges. In the colleges there is a higher standard than that prevailing in schools, but I submit that the standard that is prevailing in these schools will disappear in the course of time and that the time is not so very distant, and in the near future it will be quite possible that all our schools will be raised to the standard of existing colleges, and I believe that one advantage of the addition of one college in Bengal will be an acquisition to the people of Bengal generally and not to the people of Dacca only. As regards the practicability my hon'ble friend has already spoken, and I will not repeat it. I am concerned in showing that there is necessity from the point of view of the authorities and from the point of view of the professors and of the students. It would be a boon to the people of Eastern Bengal. It is a practicable scheme and the expense is not very high. Under the circumstances I submit that Government would kindly consider the desirability of establishing a medical college in the Dacca University from the very start."

Sir Henry Wheeler; Mr. P. C. Mitter.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, apart from such considerations as I have already represented and which more or less are relevant in this connection also, my chief objection to the acceptance of the resolution is that, as matters stand, it is somewhat premature. It has been recognised by both the Hon'ble Members who have spoken that the scheme is closely wrapped up with the project of the Dacca university. I find that when the details of a university at Dacca were first under consideration by a committee, it was proposed that medical students should be taught at Dacca up to the level of the first M. B. Examination, leaving them to come to Calcutta to complete their course. That was the definite proposal of the first committee. The total outlay involved under their proposals was, as probably we all know, very large, and in the hope of getting something done a call was made by the Government of India for what was known as the 'minimum scheme'; that was meant to cover the essential features of a university, which it might be possible to finance immediately and so make a beginning. In preparing the 'minimum scheme' this idea of medical education was jettisoned in order to lighten the ship, but even the 'minimum scheme' did not go through as the whole matter then became involved in the investigations of the Calcutta University Commission, the result of which we are still awaiting. Therefore, obviously, when we get the report of the Calcutta University Commission, and see, as we hope we shall see, their recommendations in connection with the initiation of a university at Dacca, we shall have to consider what remarks, if any, they have made on the subject of medical education, and we shall then have to decide what we can do. But at present I find it difficult to give any assurance beyond that. The idea of a new medical college at Dacca has obvious attractions, as Sir Nilratan Sarkar has said, and a medical faculty is a desirable part of any complete university. We want to see the Dacca university a success, and we would willingly see it provided with these facilities, quite apart from any wish to enhance the status and reputation of the ancient city of Dacca. In all these ways, the scheme, as I say, is attractive. Again, Dacca has already a hospital which is considerably above the *mufassal* standard, and although there may be reasons for caution, I am prepared to investigate the facilities at Dacca for running a medical college. Of course Calcutta is an ideal centre for such an enterprise, largely because of its size, which gives ample material for clinical training, and because of the prospects which it offers of private practice, hospital experience, and general enhancement of medical reputation, which attract the pick of the service from Northern India as professors. Obviously in these respects Dacca will fall short of Calcutta, and that aspect of the question will have to be considered. I would ask the Hon'ble Members who have spoken to be content to leave it at that, that when we get the report of the Calcutta University Commission the question will receive our careful consideration."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, it cannot be doubted that there is need for extension of medical education and it cannot be doubted that wherever facilities for giving further medical education exist full advantage should be taken of such facilities. The Hon'ble Sir Henry Wheeler has been pleased to indicate that Government will take the matter up, although for certain reasons given by the Hon'ble Member Government is not prepared at the present moment to move quickly. I am sure that apart from the reasons given by the Hon'ble Member in charge, your Excellency's Government agree with our view. The difference between us is more a difference of one of ways and means than anything else. But when the time ultimately comes for consideration of the question perhaps it will be helpful for your Excellency's Government to

Mr. P. C. Mitter.

know what the views of the Indian representatives in the Council are, and from that point of view especially I would press the resolution."

The question being put the Hon'ble Kumar Shib Shekhareswar Ray asked for a division. A division was then taken with the following result :—

Ayes—14.

The Hon'ble Sir Nilratan Sarkar, Kt.
,, ,, Mr. Provash Chunder Mitter, C.I.E.
,, ,, Kumar Shib Shekhareswar Ray.
,, ,, Mr. Arun Chandra Singha.
,, ,, Rai Radha Charan Pal Bahadur.
,, ,, Maulvi Abul Kasem.
,, ,, Maulvi A. K. Fazl-ul-Haq.
,, ,, Khan Sahib Aman Ali.
,, ,, Babu Bhabendra Chandra Ray.
,, ,, Rai Sri Nath Ray Bahadur.
,, ,, Rai Mahendra Chandra Mitra Bahadur.
,, ,, Babu Surendra Nath Ray.
,, ,, Babu Kishori Mohan Chaudhuri.
,, ,, Babu Ambika Charan Mazumdar.

Noes—26.

The Hon'ble Sir Henery Wheeler, K.C.I.E., C.S.I.
,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M. Maharajadhiraja Bahadur of Burdwan.
,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Mr. C. J. Stevenson Moore, C.V.O.
,, ,, Mr. F. C. French, C.S.I.
,, ,, Mr. J. Donald, C.I.E.
,, ,, Mr. L. S. S. O'Malley, C.I.E.
,, ,, Mr. H. P. Duval.
,, ,, Mr. M. C. McAlpin.
,, ,, Mr. F. A. A. Cowley.
,, ,, Colonel J. K. Close, M.D., I.M.S.
,, ,, Mr. W. C. Wordsworth.
,, ,, Mr. C. F. Payne.
,, ,, Mr. S. G. Hart.
,, ,, Khan Bahadur Maulvi Aminul Islam.
,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.
,, ,, Mr. R. V. Mansell, O.B.E.
,, ,, Mr. W. H. H. Arden-Wood, C.I.E.
,, ,, Raja Hrishikesh Laha, C.I.E.
,, ,, Mr. L. V. N. Meares.
,, ,, Mr. F. W. Carter, C.I.E., C.B.E.
,, ,, Mr. W. E. Crum, O.B.E.
,, ,, Mr. W. H. Phelps.
,, ,, Mr. G. A. Bayley.
,, ,, Mr. H. R. A. Irwin, C.I.E.

The following members abstained from voting :—

The Hon'ble Rai Debender Chunder Ghose Bahadur.
,, ,, Dr. Abdulla-al-Mamun Suhrawardy.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
,, ,, Mr. Aminur Rahman.
,, ,, Babu Siv Narayan Mukharji.
,, ,, Babu Brojendra Kishor Ray Chaudhuri.
,, ,, Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
,, ,, Mr. M. Ashraf Ali Khan Chaudhuri.
,, ,, Mr. Altaf Ali.
,, ,, Babu Akhil Chandra Datta.
,, ,, Babu Mahendra Nath Ray, C.I.E.
,, ,, Mr. K. B. Dutta.

The ayes being 14 and noes 26, the resolution was lost.

Babu A. C. Dutta ; The President ; Maulvi A. K. Fazl-ul-Haq.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 14.

14. The following resolution stood in the name of the Hon'ble Babu Akhil Chandra Dutta :—

This Council recommends to the Governor in Council—

(*a*) that suitable provision be made in the next year's budget for establishing a Medical College at Dacca ; and

(*b*) that the necessary amount be taken out of—

(*i*) the provision of Rs. 4,30,000 for the acquisition of land for the New Nurses' Quarters for the Medical College Hospital ; and

(*ii*) the provision of Rs. 2,00,000 for the Nurses' Quarters, Medical College Hospital.

The President said : "Item No. 14 is covered by the decision at which the Council has just arrived."

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 15.

The Hon'ble **Maulvi A. K. Fazl-ul-Haq** moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that a lump provision of Rs. 4 lakhs be made for the relief of distress in the country consequent on the high prices of cloth ; and

(*b*) that the requisite money be found by curtailing expenditure under the following sub-heads :—

		Rs.
(*i*) Agricultural Education	...	1,00,000
(*ii*) Experimental Farms	...	1,57,000
(*iii*) Agricultural Experiments	...	1,52,500
(*iv*) Divisional Seed Stores	...	30,000
(*v*) Sericulture ...	...	1,54,000

He said :—

"My Lord, I do not think I need take up the time of this Council by saying very many words as to the acute distress that is prevailing in this country in consequence of the high price of cloth. The complaint about this high price of cloth has been going on in this country for nearly two years, and although efforts have been made to bring some relief to the people, so far as can be said at the present moment, all these efforts have hitherto proved futile. I believe everyone who knows anything at all about the situation is most anxious that some relief should be afforded to the people, and the only question is one of ways and means. It has struck me in glancing through the various budget allotments that some money might profitably be set apart this year to relieve the distress from which the people are suffering. Coming to the suggestion that I have made I feel that I have suggested the curtailment of expenditure with regard to another department which appeals very largely to the imagination of the people and as to which also I might be accused of something like want of sympathy for a movement which is apparently of immense good to the agricultural population of the Presidency. I confess that in theory the department of agriculture is all that can be desired, but so far as my own personal experience goes, I do not think the

achievements of this department in improving the methods of agriculture have been such as to justify the large outlay which Government proposes to set apart with references to the activities of this department. I have suggested that the Rs. 4 lakhs be taken from the following sub-heads: (1) Agricultural education for which Rs. 1 lakh has been budgetted for. I do not quite understand what this agricultural education means. It is very good in theory, but I do not think the officers of the Agricultural Department have been so far successful in imparting any kind of education to the agriculturists either towards teaching them to improve their methods of agriculture or enabling them by the education that has been imparted by the department to make even one single blade of grass grow than they grew before. Whatever that may be, even conceding that some money should be set apart for agricultural education, I think Rs. 1 lakh is a little too much and some portion of it might be set apart for the purpose which I have in view in the first portion of my resolution. Then there comes the item Experimental Farms, under which there is a provision for miscellaneous expenditure to the extent of Rs. 81,000. I do not understand what this miscellaneous expenditure means, and unless I find something definite to prove that the department is going to undertake work of a substantial character, I am disposed to think that this Rs. 81,000 represents more or less a wasteful expenditure. Then the next item is Agricultural Experiments, and under this sub-head I find a provision of Rs. 1 lakh for the distribution of seeds. The distribution of seeds is not so urgently needed at the present moment, and even if some money is required I again consider that the provision that has been made is extremely liberal, at any rate not what the department could claim in view of their achievements in the past. Then there is the item of Divisional Seed Store, and under the head Seeds and Implements I find there is a provision of Rs. 32,000. Here again I consider this expenditure to be not justified by the work which the department will have in hand; and lastly there comes the item Sericulture, under which there is an allottement under the head miscellaneous of Rs. 60,000. I again confess I cannot understand what this miscellaneous expenditure is going to be. This seems to be an extravagance and having regard to the fact that we have not been given any explanations as to how this miscellaneous expenditure is going to be met, I will submit that this expenditure ought not to be sanctioned. If we add up the allotments that have been made under these various sub-heads I find that Rs. 4 lakhs can easily be budgetted out of these amounts which can be more usefully employed in relieving the distress owing to the high price of cloth than in carrying on experiments with the officers of the Agricultural Department—experiments which are more or less of a doubtful utility. I submit, therefore, for the consideration of this Council the resolution which stands in my name, and I hope it will be accepted by your Excellency's Government."

The Hon'ble Kumar Shib Shekhareswar Ray said:—

"My Lord, I rise again to oppose my esteemed friend. I admit that just at present there is an acute distress prevailing in the country owing to the abnormal rise in the price of cloth, but I also believe that we have somehow managed to get over the worst. In view of the probable increased output of cloth in England and transport facilities, I am sure that the prices would soon come down, and, moreover, we expect a good price for our jute this year. Thus, it would seem that much of the prevailing distress would soon cease to exist. I am, therefore, led to believe that my friend's resolution comes a bit too late to be of any real service to my countrymen. But what my chief objection to my friend's resolution is that he wants to curtail the expenditure on agriculture and allied subjects, and I beg to remind my friend that the Agricultural Department has been long neglected by the Government

Sir Henry Wheeler.

It was my friend himself who on several occasions in the past brought this fact to the notice of the Government. Now that the Government have come forward to our help, I do not think it would be quite judicious on our part to ask them to curtail their expenses in this direction. In our country much depends on how the Government take to a subject. Because the Government neglected agriculture, we also found it hard to take to it. The whole thing appeared so vast and beset with difficulties that we became rather pessimistic and left it to the State to do what they could. Now, because the Government are enthusiastic about it, we too are considerably encouraged, and I am sure my community, I mean the landlords, would not fail to notice that the Government are showing active sympathy and would heartily co-operate with them. There is another matter, my Lord—some of the items under this head, as, for example, Sericulture, form part of a settled programme. Much has already been spent on them. If we now stop the work it would only mean a total loss of what has already been spent on them and, along with the monetary loss, it will mean a waste of much useful work. I would, therefore, request my Hon'ble friend not to press his resolution, and even if he does, I would appeal to him to leave the Department of Agriculture alone and cast his eye on some other really extravagant departments of the Government. Perhaps my Hon'ble friend thinks that the Agricultural Department is not properly worked. Well, if this is so, then it is our duty to watch the working of the department and not to give it up as hopeless."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I trust I may be excused from speaking at length on this resolution, firstly, because it was only a few days ago that we discussed at length this problem of cloth supply in Bengal, and secondly, because the Hon'ble Mover, as in another resolution which he has fathered to-day, has been little concerned with the actual proposal on which he desires to incur further expenditure, but has chiefly directed his criticisms to the working of a department from which he hopes to abstract some of its present allotments. I am particularly concerned with the cloth problem, and as regards that one finds it difficult to answer the resolution, as the Hon'ble Mover has told us so little as to what he wants to do with this large sum of Rs. 4 lakhs which he wishes us to put in the budget. He expressed a vague hope that, in some way undefined, we may relieve the distress consequence on the high price of cloth, but before we could consent to setting aside this very substantial sum, we may reasonably ask for something more definite. One can best consider the question in respect of those areas in which actual distress may prevail during the year—distress necessitating relief by Government measures in the ordinary sense. As regards the areas in which distress does not exist to that extent, but in which people are pinched, as they have been pinched all over the world, Government can hardly do anything. But as regards the first category, I said on the occasion of our debate about cloth the other day that if it seemed desirable, as a matter of relief, that facilities should be given for bringing in cheaper cloth into these areas, Government would consider that course as part of the machinery of assistance of distress, and if as a result of the Hon'ble Mr. Cumming's approaching visit to Bankura, Brahmanberia and elsewhere, we are told that it would help to give relief to the poor in those areas in which distress prevails in the matter of cheap cloth, we shall have to do our best to do so. But as regards the other areas, I cannot give the same assurance. The ordinary remedy which has been mooted since the price of cloth has risen is that of the manufacture of standard cloth and the placing of it upon the market. But the standard cloth scheme does not contemplate the incurring of expenditure by Government, so a provision of Rs. 4 lakhs is not necessary for the purpose. All that will be, and that is being, done in other provinces in the working of that

scheme is to arrange for the supply of cloth at a particular price by special arrangements with the Bombay mills, to bring it to the local market, and to sell it at a price which covers the original cost and the transit expenses. There is little need to make a provision of Rs. 4 lakhs for this purpose, but, as I explained the other day, we have not hitherto thought it desirable to embark upon that enterprise. If we do not work the standard cloth plan in the usually accepted sense, what does this resolution really want us to do? If it desires us to exercise indiscriminate charity in the sense of buying cloth, whether it be standard or any other cloth, and placing it on the market at less than cost price, accepting the difference as a legitimate charge against the general tax-payer, then I am afraid we must say we cannot contemplate such action. I am talking of areas in which distress does not prevail in the sense that Government has undertaken measures and recognized the necessity of relief. There is no doubt that people would be more happy if times were more normal, but in such areas we cannot contemplate a general pauperization of the people in the sense that we should buy a certain amount of cloth at a high price and retail it at less. Therefore, Sir, on the merits of the proposal I submit that a case has not been made out.

As regards the sources from which the Hon'ble Member would find the money, I scarcely think that to-day he has been as happy as usual in his proposals for retrenchment. He enumerates five heads which altogether cover approximately Rs. 6 lakhs, and he says that we can easily find Rs. 4 lakhs out of them. If we can easily find Rs. 4 lakhs, all I can say is that it reflects most seriously on the reckless carelessness with which Mr. Donald has passed the departmental budget, and I have no reason for thinking that Mr. Donald has shown any such extravagance. Therefore, practically, to take Rs. 4 lakhs out of Rs. 6 lakhs, obviously means breaking up the work of the Agricultural Department, which, as the Kumar Shib Shekhareswar Ray has said, is carrying out work of benefit and utility. Therefore, on neither ground can I advise the Council to accept this resolution."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I have very little to add to what I have already said in respect of the recommendation contained in this resolution. It is true I have not been able to formulate any definite proposals as to how the money would be spent for the purpose of relieving the distress. The reason is that it is very difficult to make definite proposals unless and until the materials necessary for coming to a decision on a question like this are at one's disposal. But I thought that if the money could be procured, Government might by some means or other find out suitable means of utilizing the amount in undertaking work which Government has as much at heart as myself or any other member of this Council. The question of getting Rs. 4 lakhs out of the allotments of Rs. 6 lakhs under the various sub-heads in the Department of Agriculture has given rise to a little adverse criticism from my esteemed friend Kumar Shib Shekhareswar Ray. I did not for a moment belittle the importance of the Agricultural Department, but what I really meant is this—and the Kumar has already anticipated me there—that I do not think that the department is being properly worked, and I, therefore, feel that if this large money is placed at the disposal of the department it may not serve the very useful purpose which the Government has got in view. I do not wish to take up the time of this Council by going into details so far as this question is concerned, but I wish to point out to the Council one singular fact which will throw some light on the exact question which arises out of the proposals which I have made. We find in every year's budget provisions made of large sums of money for the distribution of seeds, for agricultural education and so forth. I know something of the condition prevailing in mufassal, but personally I have not

Babu B. C. Ray.

yet come across any tangible results of the activities of this department within at any rate the last five or six years for which I have scrutinized the budget for the purpose of making suggestions for curtailing the expenditure of this department. When I say that the department is not being properly worked I mean in reality that they have already got more money than they can usefully dispose of, and I, therefore, see no merit in accumulating money for the purpose of the expansion of a department which has not yet shown its aptitude for taking up the work and spending the money as usefully as one would expect from a department like that of Agriculture. Then, as regards the question which has been discussed by Sir Henry Wheeler of purchasing cloth at a low price and distributing it in selected areas, that was not exactly what I meant when I gave notice of this resolution. As I have said I have no definite proposals to make and I have only suggested that the money should be set apart and if necessary expert advice should be taken in order that some definite scheme may be formulated for spending this money for the purpose which I recommend by means of this resolution. If Government thinks that the proposal cannot be accepted, of course there is an end of this matter; but I want once more to emphasize the fact that the distress prevailing in consequence of the high price of cloth is still a very acute one, and it is not quite correct to say that we have somehow managed to tide over the period of real difficulty. The distress is still real and very acute, and if not by the means I have suggested, some other means ought to be found for removing the acute distress that is now prevailing. I do not wish to waste the time of this Council and with those words I beg to recommend the resolution for the acceptance of this Council."

The resolution was then put and lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 16.

The Hon'ble **Babu Bhabendra Chandra Ray** moved the following resolution:—

This Council recommends to the Governor in Council—

(*a*) that an allotment of Rs. 2 lakhs be provided as subvention to the District Boards and the mufassal municipalities for enabling them to make arrangements for the retail sale of food-grains and other necessaries of life at cost price in selected areas; and

(*b*) that a corresponding reduction be made in the provision for the nurses' quarters in connection with the Calcutta Medical College.

He said:—

"My Lord, it is obvious that scarcity does not prevail all over the country in the same degree just now, though prices of rice, and particularly pulses, rule very high everywhere. Relief in its usual forms can be expected to be organized only in localities where definite famine conditions prevail. And even then, the middle classes—who are in one sense the worst sufferers—are not benefited thereby, because they prefer to starve in secret, as pointed out by Mr. Yas in his appeal in connection with Bankura famine.

My Lord, I do not desire to take up any more time of the Council in discussing my proposal in details. I believe the resolution carries with it its conviction. It is to be hoped that my suggestion, if accepted, will enable the district boards and municipalities to bring relief to the door of such people as are now beyond the reach of existing relief organizations, without, at the same time, doing violence to Government's policy of non-interference with trade.

Mr. Cumming; Babu B. C. Ray.

Now, to turn to the retrenchment suggested by me, I think that if once the contention put forward by me is accepted, there is hardly any item in the budget which ought not to submit itself to a process of shearing. If I have selected the new nurses' quarters at the Medical College it is because I agree with Sir Henry Wheeler that they are 'unfortunately expensive', and for the additional reason that this capital expenditure may with advantage, be spread over two years."

The Hon'ble Mr. Cumming said :—

"My Lord, in this matter I do not think that it is necessary to say anythink further than what was stated by the Hon'ble Sir Henry Wheeler on the occasion of the debate at the previous meeting of this Council. It was then stated that in the areas in which scarcity exists special measures might be taken. The Hon'ble Member proposes that Rs. 2 lakhs should be given to local bodies to enable them to make arrangements for the retail sale of food grains and other necessaries of life. He qualifies his proposal by saying that he does not wish to effect any interference with trade, but I would suggest to him—how can any such arrangement be effected without interference with trade? In fact, it is self-evident that it is not a business proposition that Government should take over the detailed distribution of these articles. As regards the particular items that might be considered, I may mention what has been done and what can be done. As regards salt, it is within the knowledge of all members present that the situation has been considerably improved by ensuring a sufficient supply and also by taking measures regarding the price. As regards kerosene oil, another practical essential to the life of the mufassal, it may be said that the measures taken under Sir Henry Wheeler's auspices in co-operation with the great importers of oil, have been successful in ensuring as far as possible a fair supply at a fair price, and also in preventing profiteering as far as possible. There remains the item of food grains itself. As has been stated earlier in to-day's proceedings, Government will take measures within areas in which scarcity exists and the normal procedure of relief will follow. As regards the particular class of persons whom the Hon'ble Member has mentioned, viz., the middle class community who are reluctant to come forward for public relief, in the areas in which such people have been found special measures have been taken; and Government have already given special grants which have been placed at the disposal of the local charitable relief committees who may distribute relief at their discretion. These being the facts, Sir, I do not think it is sound to ask for a subvention; and certainly a subvention of Rs. 2 lakhs for the whole province of Bengal would be of very little benefit. I, therefore, consider that the resolution in its present form should not be accepted.

As regards the second portion of the resolution, viz., that money should be taken from the provision for the nurses' quarters in the Calcutta Medical College, the matter has already been the subject of debate, and Sir Henry Wheeler has placed before the members of Council the reason why no further deduction should be made from this head."

The Hon'ble Babu Bhabendra Chandra Ray said :—

"Knowing full well, my Lord, what the fate of my resolution will be, I do not wish to press it. Of course I am assured, and I have come to know that special arrangements have been made for the relief of the middle class people by giving money by charitable associations. I think it would be waste of time to press this resolution. I therefore beg leave to withdraw it."

The resolution was then, by leave of the President, withdrawn.

Babu K. M. Chaudhuri; Mr. Cumming.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 17.

The Hon'ble **Babu Kishori Mohan Chaudhuri** moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that at least three model dairies be started at suitable centres in the mufassal with special arrangements for the improvement of the cattle breeding ; and

(*b*) that the sum required be met from a portion of the sum provided for agricultural education.

He said :—

"My Lord, Mr. Blackwood some time ago submitted his report in connection with the improvement of cattle in this province, and he suggested that cattle farms should be established here and there, and that would give a training to the people. It is in this connection that I bring forward this proposal. It is intimately connected with the improvement of agricultural education. What I say is this, that in these cases Government should show the way, and I suggest that three model dairies—whether three, two or one, it does not matter—may be started by Government. At least a beginning should be made. It will be a training-ground for the people in general, and it will serve the purpose of bull-rearing and improvement of cattle. People will learn by seeing the result of what is being done in the experimental agricultural farms, and they will see the utility of maintaining cattle, and what can be done for the supply of fodder, and how the supply of milk can be improved, and the benefits that can be derived. It is in this view that I have suggested the opening of a few model dairies, and I hope there will be no difficulty in accepting this resolution."

The Hon'ble Mr. Cumming said:—

"Sir, the request of the Hon'ble Member is to the effect that three model dairies should be started at suitable centres in the mufassal, special arrangements being made for the improvement of cattle breeding. It is somewhat difficult for Government to satisfy such contending requests as have been put forward to-day. On the one hand Government is accused of going too fast and too far in connection with agriculture and on the other hand of not going far enough or fast enough. The model dairy cannot be a commercial success if it is attached to a cattle farm. The main object is the improvement of cattle and not the sale of milk. We have already one such model dairy attached to the Rangpur farm, as regards which I made the following remarks at a recent meeting of this Council : 'Already there is an indication that the selection of the best cattle from acclimatized indigenous stock produces better results, both in the outturn of milk, and in bone and muscle. If this inference is supported, as time goes on, it will be desirable to create similar farms at many other places in the Presidency ; and this, I suggest, is the proper line of action for the improvement of cattle.' At the present moment I cannot recommend to the Council the starting of other dairies, inasmuch as the data to be obtained before taking such a step can only be obtained by the slow, gradual process of time ; and we must see whether the data satisfy us that the selection of indigenous cattle is desirable. We shall, however, endeavour to open new farms with the ultimate object of improving the breed of the cattle and the milk supply in Bengal. But as the resolution stands at present I am afraid I must ask the Council not to accept it."

Babu K. M. Chaudhuri; The President; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I have very little to add to what I have suggested. My idea is that it is intimately connected with agricultural education, and of any sum set apart for this purpose, a portion may be usefully utilized in starting these model dairies, which will have the effect of improving cattle-rearing, bull-rearing and other connected matters. Of course it is for Government to consider in what way it should be done, but it was recommended by Mr. Blackwood and in that connection I have brought forward this resolution. I beg permission to withdraw this resolution."

The resolution was then, by leave of the President, withdrawn.

The President said :—

"The Hon'ble Rai Radha Charan Pal Bahadur is absent for the moment on public duty elsewhere. In these circumstances I have agreed to the postponement of the motions (items Nos. 18, 19 and 22) standing in his name until he is able to return."

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 20.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that a lump provision of Rs. 3 lakhs be made for hostels for Muhammadan students in Calcutta and the mufassal ; and

(*b*) that the money be provided for by a grant of Rs. 2 lakhs from the budget provision for Calcutta hostels (Rs. 2,89,000) and the mufassal hostels and messes (Rs. 1,09,376), and Rs. 1 lakh by a lump deduction from the budget provisions for the Departments of Fisheries and Director of Industries (26-B).

He said :—

"My Lord, I beg to move the resolution which stands in my name on the agenda paper. It will be in the recollection of this Council that this question has been pressed upon the attention of Government many times within the last few years, and if I have ventured to bring this question for discussion again to-day, it is in view of the fact that the question of hostel accommodation for Muhammadan students is becoming day by day one of increasing difficulty and also of urgency. I wish to place before the members of this Council for their consideration certain figures which I have collected and which will show how urgent and pressing is the necessity for providing hostel accommodation for Muhammadan students. To begin with, I wish to emphasize the fact that the need of the hostel accommodation for Muhammadan students is far more pressing than the necessity for such accommodation for non-Muhammadan students and for that purpose I will mention the following reasons amongst others. In the first place the existing hostel accommodation for Muhammadan students is insufficient as I would presently show ; secondly, if any private houses are hired and the students are to live there according to the rules and regulations of the University, there are

Maulvi A. K. Fazl-ul-Haq.

very few Muhammadan landlords in Calcutta and the Hindu landlords are very reluctant to let Muhammadan students occupy their houses. I do not make this a point of complaint. It may be from their point of view the Hindu landlords are quite justified, but the result is that the Muhammadan students cannot, without much difficulty, hire a house belonging to a Hindu landlord. Then the Muhammadan students have, comparatively speaking, fewer relatives in Calcutta or in the headquarters stations in the mufassal with whom they can stay, and that again makes it very important that there should be hostel accommodation for them.

As regards my first point that the need for hostel accommodation is very pressing, I wish to submit for the consideration of your Excellency's Government the following figures. The total number of Muhammadan students in all the colleges in Bengal—I am speaking not merely of Calcutta but of the mufassal also—comes up to about 2,600. Of this number about 700 reside in hostels, about 350 with approved guardians, about 200 with their own guardians and about 150 in attached messes. And, therefore, it would appear that about 1,200 are living in very undesirable surroundings. Hostel accommodation is, therefore, needed for about 1,200 college students, not to speak of a large number of high school students. The need is greatest in Calcutta where the number of Muhammadan students—to be exact—is 1,483, of whom about 300 live in hostels, 110 in attached messes and about 510 reside in approved hostels as will appear from the following figures : in the Elliot hostel 45, in the Baker hostel 196, in the Tayler hostel 73 and in the Carmichael hostel 166. Therefore, it would appear that there are in Calcutta 575 students for whom there is no approved hostel accommodation. Now, my Lord, if there are 1,500 students in colleges and if we have only been able to find accommodation for about 950, it is high time that steps should be taken as early as possible to remedy a state of things which compel students to live not only in insanitary surroundings but also under conditions which are absolutely condemnable from all points of view.

I find that there are provisions in the budget for Calcutta hostels amounting to nearly Rs. 2,89,000 and for mufassal hostels amounting to Rs. 1,00,000. But I do not find anything in the budget to show what portion of the grants should be utilized, if at all, for hostels and messes for Muhammadan students. I think that out of this sum, a large portion should be set apart for the Muhammadan hostel, and if there is any residue left it might be got from the provision under the head Fisheries and Industries. Here again I touch upon controversial grounds. I am not denying the importance of the Departments of Fisheries and Industries, although I am not quite prepared to give a certificate of efficiency to the Department of Fisheries, but at the same time I think that out of the large allotments that have been made under these two heads some money might be found which could be set apart for Muhammadan hostels in Calcutta and mufassal. This is a matter about which there can be no difference of opinion, and it is a matter about which I know Government is extremely anxious, and, therefore, I need not take up the time of the Council by dwelling on this point at some length. Government themselves have acknowledged that as much money as could possibly be found should be spent on Muhammadan hostels and they have given their pledges on it from time to time. I have collected some figures—which I have reasons to believe are correct—to show that in Calcutta about 600 students and in Calcutta and mufassal together about 1,200 students cannot find any accommodation. Under these circumstances I think that more provision should be made under this head, and I do not know what stronger case I can make out for this need of the Muhammadan students and for more provision for it

in the budget. With these words I commend the resolution for acceptance by your Excellency's Government."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I rise to support the resolution which has been moved by my hon'ble friend Maulvi Fazl-ul-Haq. In doing so I must in the first place acknowledge our gratitude to the Government of Bengal for the steps taken by them in providing hostel accommodation for Muhammadan boys in Calcutta and at certain mufassal towns, but what I submit, my Lord, is that the accommodation provided is as yet quite insufficient and further provision should be made. As has been said by my Hon'ble friend Government are only too anxious to provide such accommodation and to help the cause of advancement of Muhammadan education, and the only difficulty Government finds is that of ways and means. We, on our part, my Lord, have tried several measures in order to provide funds for the advancement of Muhammadan education, but we have failed in all directions, and naturally we have to fall back on public revenue. The need for Muhammadan hostels is specially necessary on account of the fact that the system of education now imparted in our collegiate schools is not well suited to the members of the Muhammadan community. We want to give some sort of home training and religious education ; that we cannot do unless we have special Muhammadan hostels. For that reason and also for the reason stated by the Hon'ble Maulvi A. K. Fazl-ul-Haq that the Muhammadan boys find it extremely difficult to find a place to live in during their student career, this makes our case strong enough for the favourable consideration of Government. As regards the amount to be secured by a deduction from the Department of Fisheries, I might remind this Council, my Lord, that a couple of years back I suggested the abolition of the department, and my proposal was criticized by the Hon'ble Member in charge as preposterous. For these few years, my Lord, I have tried to find out whether the Department of Fisheries has in any way helped either the cultivation of fish or has increased the supply in this province, but I fail to see any improvement at all. We have now a Director of Fisheries, and he has got a larger staff than he had formerly, on which much money is spent, but as yet we have had no tangible result of the work of the department beyond certain experiments which are as yet only of academic value and nothing more. I submit, my Lord, that the question of providing hostel accommodation for Muhammadan boys is a very important question and should receive early consideration at the hands of Government, and as soon as funds are available that provision should be made. I think that according to the relative importance of the Department of Fisheries and the provision of hostel accommodation for Muhammadan boys, preference should be given to the latter. With these remarks I beg to support the resolution of my Hon'ble friend."

The Hon'ble Mr. Wordsworth said :—

"My Lord, I would first say a word about the items that are proposed to be reduced. The first educational item is described as Rs. 2,89,000 for Calcutta hostels ; Rs. 1,89,000 of that is pledged to the University in continuation of schemes almost completed, and in view of the urgency of the case Rs. 1 lakh is pledged to the Civil Engineering College at Sibpur for certain improvements in their sanitation. The item Rs. 1,09,000 is not capable of reduction. This is an item of recurring expenditure and represents our proper recurring expenditure according to arrangements entered into with various hostels and colleges in the mufassal. I am informed that the budgets for the Departments of Fisheries and Director of Industries represent merely the actuals with the exception of Rs. ½ lakh for development under

Maulvi A. K. Fazl-ul-Haq.

the Director of Industries. This Rs. ½ lakh itself is not capable of reduction because it is an instalment towards carrying out certain proposals made in the report of the Industrial Commission, and I am informed—although on this point I do not speak with authority—that a representation has already been made for an increase of the budget provision under this head.

Turning now to the constructive part of the resolution, I may remind the Council that the matter has been debated here several times, and that last year in particular it was discussed at some length. The Hon'ble Mover on that occasion after hearing the situation explained on behalf of Government, withdrew his resolution, and the language with which he withdrew it is this : 'I have taken the assurance of the Director of Public Instruction and beg to withdraw the resolution, especially as there is no help for it.' I trust, my Lord, that the assurance then given and now repeated will be accepted as equally satisfactory. If it was then agreed that the Department of Education had done its best to meet the needs of the Muhammadan community, I would venture to asssure the Hon'ble Mover that there has been no relaxation of will and vigilance in the department since that time. For such purposes as are contemplated in this resolution we have as resources either Imperial grants or Provincial grants. The Imperial grants are distributed for such purposes and on such conditions as the Government of India may care to lay down. Provincial grants are distributed under the grant-in-aid system and the grants-in-aid system of the Government of Bengal is the contrivance for testing needs and differentiating them from mere wishes or aspirations. Judged by this test there are few needs in the Muhammadan community in the matter of accommodation in college hostels. We have a fairly elaborate machinery in the Education Department for finding out these needs. The University itself is always accessible and as a member of the Department of Education and of the University, I would say that very few needs have been brought to notice during the last year. It is rather a naive way of representing the situation to subtract the number of students in hostels from the total number in educational institutions and to assume that their number is a measure of the need. I am unable to accept that as a test of the situation ; nor am I aware that the needs of the Muhammadan community in this respect are any greater than the needs of the Hindu community or of those classes that are known as backward classes. I would gladly see more provision made under this head if we were likely to spend it, but schemes mature slowly and, especially grants-in-aid schemes, depend on local contribution, and I am not acquainted with any scheme or needs or definite proposals that need pledge the department to greater expenditure during the next year than the expenditure already provided for. During the last three years we have spent practically Rs. 3 lakhs in capital expenditure for this purpose—I have not the figures for recurring expenditure immediately available. We have a number of schemes for hostels in Government institutions and non-Government institutions ; the schemes for Government institutions come to about Rs. 1½ lakh and those for private institutions to Rs. 1,30,000, and only one new scheme has recently been presented to us ; this will cost about Rs. 12,000 ; it is receiving attention, and if it matures, will be financed without delay. I, therefore, consider, my Lord, that we have sufficient provision in our budget for probable needs under the appropriate head of grants-in-aid, and I would assure the Hon'ble Mover that if our expectations are not fulfilled, and if the demand proves greater than our expectations, we strain every nerve and make every effort to meet the just needs of the Muhammadan community."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said:—

"My Lord, I have placed certain figures before this Council for the consideration of the members and I may say that I took some pains to ascertain

Maulvi A. K. Fazl-ul-Haq.

the facts as correctly as I could possibly do, and the figures that I have placed before the Council are, I believe, substantially correct. The Director of Public Instruction has said that it is not a good test to subtract the number residing in hostels and messes from the total number of students in colleges and schools, and then inferring from the figures arrived at that the question of hostel accommodation is of any great urgency or necessity. There is one little matter which I would respectfully like to remind him of and it is this: There are hundreds of students every year who cannot pursue their studies in Calcutta for want of sufficient hostel accommodation and who cannot take admission in colleges simply because of the insufficient accommodation in Muhammadan hostels. Therefore, the number which we have got at present on the college rolls—I mean the number of Muhammadan students—is much less than what it would have been if we had sufficient hostel accommodation for them. The absence of sufficient hostel accommodation really reacts on the number that take admission in colleges, and I think it is a very safe guide to find out whether the necessity is urgent or not by finding out how many of the college students are without any kind of hostel accommodation. It is true that on the last occasion when I brought this question up before the Council, the Director of Public Instruction speaking on behalf of Government was pleased to give me the assurance that the matter would receive his anxious consideration and that he would, as he has promised this afternoon, strain every nerve in its accomplishment if we could make out that the case of hostel for the accommodation of Muhammadan students is one of urgent necessity. It is very difficult for us to go about seeking students who go away from Calcutta disappointed by not getting seats in colleges and hostels and bringing every such instance to the notice of the Director. But, if he wishes it, I can do so, though I warn him that it would greatly interfere with his departmental duties if he is going to be beseiged by an army of Muhammadan students every day. It is true that assurances have been given from time to time, and although I greatly acknowledge the efforts that have been made for providing hostel accommodation for Muhammadan students from time to time, within the last 12 years in this very Council, very little tangible effect has been produced towards that direction. I find various budget allotments, under the head Education which the department has not been able to utilize. I wonder how, with the anxious solicitude on the part of Government, grants that have been made by the Imperial Government and other large sums of money were allowed to lapse simply for want of suitable schemes for spending the money on—the money at the disposal of the Provincial Government. I cannot understand why with such a pressing need before them—a need to which attention of the Government is drawn every year in the Council by discussions and resolutions—that money is allowed to lapse for want of definite schemes. I do not wish to say anything further on the subject, because I find that I have not been able to convince the Director of Public Instruction that the need for hostel accommodation for Muhammadan students is really as urgent as I have represented it to be. I wish to challenge only that portion of his statement wherein he says that the difficulty of Muhammadan students in getting hostel accommodation is not greater than non-Muhammadan students. I have already pointed out the special difficulties of the Muhammadan students. I need not go into details. These difficulties do not stand in the way of non-Muhammadan students, and I have not come across one non-Muhammadan leader who has not acknowledged his anxious solicitude for Muhammadan education even at the sacrifice of the interests of his own community. Whenever we have brought up the question of Muhammadan hostel accommodation and Muhammadan education we have received nothing but sympathy from the leaders of the non-Muhammadan communities. Because they appriciate our difficulties at the present moment they sympathize with us, and if I am to press this resolution to a division I am sure every one of them will vote for me. But I do not wish to take up the time of the Council. I brought up this matter for consideration and it rests with your Excellency's Government to accept it or not."

Sir D. P. Sarbadhikari.

A division then taken with the following result :—

Ayes—9.

The Hon'ble Rai Debender Chunder Ghose Bahadur
" " Dr Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Maulvi A K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Rai Sri Nath Ray Bahadur.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—24.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr. F. C. French, C.S.I.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. H. P. Duval.
" " Mr. M. C. McAlpin.
" " F. A. A. Cowley.
" " Col J. K. Close, M.D., I.M.S.
" " Mr. W. C. Wordsworth.
" " Khan Bahadur Maulvi Aminul Islam.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Sir Nilratan Sarkar, Kt.
" " Mr. R. V. Mansell, O.B.E.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. L. V. N. Meares.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " W. E. Crum, O.B.E.
" " Mr. G. A. Bayley.
" " Mr. H. R. A. Irwin, C.I.E.
" " Babu Surendra Nath Ray.

The Hon'ble Kumar Shib Shekhareswar Ray abstained from voting.

The following Members were absent :—

The Hon'ble Mr. C. F. Payne.
" " Mr. S. G. Hart.
" " The Nawab Bahadur of Murshidabad.
" " Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" " Rai Radha Charan Pal Bahadur.
" " Mr. W. H. Phelps.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Babu Akhil Chandra Datta.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The Ayes being 9 and Noes 24, the resolution was lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 21.

In the absence of the **Hon'ble Sir Deba Prasad Sarbadhikari** the following resolution which stood in his name went by default :—

This Council recommends to the Governor in Council—

(*a*) that a sum of Rs. 3 lakhs be provided in the budget for the improvement of private colleges ; and

(*b*) that the necessary funds be obtained by a corresponding reduction in the provision for Civil Works in charge of the Public Works Department.

Rai M. C. Mitra Bahadur.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 23.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that provision be made for Rs. 5 lakhs for granting some allowance to all clerks drawing a monthly salary of one hundred rupees and less, employed under the Government of Bengal ; and

(*b*) that the expenditure be met out of the grant of Rs. 34,20,000 provided in the budget for New Works (including Minor Works) under the head 45—Civil Works in charge of the Public Works Department.

He said :—

"My Lord, the resolution speaks for itself. I need not take much time of the Council in moving this resolution. It is well known to your Excellency's Government that the price of all food-stuffs such as rice, flour, *ghee*, mustard-oil, spices, etc., etc., and other necessaries of life, *e.g.*, cloth, medicine, etc., have risen abnormally high. The hard-worked clerks under your Excellency's Government drawing a monthly salary of Rs. 100 and below find it very difficult to make both ends meet and maintain the members of their family and dependents properly. It is no exaggeration to state that many have been obliged to take one meal a day. Respectable merchants have kindly increased the salary of their clerks and further granted them a war bonus. Persons employed in the printing department of the Government of India in Calcutta and also a large number of persons in the Postal and Telegraph Department clerks under the various provincial Government have been granted allowances as detailed below :—

Statement showing allowances sanctioned by different Local Governments and Imperial Departments.

Name of Local Government or Imperial Department.	Date from which the sanction has effect.	Rate of allowances sanctioned.
Post and Telegraphs	1st November 1917	Five per cent. of salary to all non-gazetted officers drawing pay up to Rs. 600 in addition to all other emoluments (*i.e.*, grain compensation allowances).
	1st November 1918	Additional 5 per cent. of salary to all non gazetted officers drawing pay up to Rs. 70.
Controller of Printing, Stamps and Stationery.	1st April 1918 ...	Five per cent. of salary to all members of superior establishment up to Rs. 600. Clerks drawing under Rs. 25 to get Rs. 25. Inferior servants to receive allowance under the Bengal Government scheme. These allowances may be drawn in addition to grain compensation allowance.
	1st November 1918	Additional 5 per cent. of salary to all members of superior establishment drawing pay up to Rs. 70.

Rai M. C. Mitra Bahadur.

Name of Local Government or Imperial Department.	Date from which the sanction has effect.	Rate of allowances sanctioned.
Government of Madras.	1st January 1919	Rupees 4 when salary is Rs. 9 and under; Rs. 5 when salary exceeds Rs. 9 but not Rs. 16; Rs. 6 on salaries of Rs. 50 and under: men drawing over Rs. 50 but less than Rs. 56 should be given such sum as is necessary in each case to bring the pay to Rs. 56. Grain compensation allowance is not admissible in addition.
Mysore Presidency (Bangalore).	1st March 1918 ...	Five per cent. of salary to all public servants drawing Rs. 50 and less in addition to grain compensation allowance.
United Provinces of Agra and Oudh.	1st December 1918	Rs. 4 to all whole-time Government servants on pay exceeding Rs. 30 but not exceeding Rs. 50 till declaration of peace.
Punjab Government	1st October 1918	Five per cent. of salary to all public servants drawing Rs. 50 and less in addition to grain compensation allowance.
Government of Bombay.	1st January 1918	Thirty-three per cent. on salary from Rs. 20 to Rs. 30; 25 per cent. on salary above Rs. 30 to Rs. 70; minimum pay of all clerical appointments to be raised to Rs. 20 and war allowance paid on it; and Rs 4 to other superior servants on pay less than Rs. 20. Rs. 4 to inferior servants. Grain compensation allowance is not admissible in addition. (It has also been decided that a substantial portion of this allowance is to be eventually consolidated in pay.) Those drawing between Rs. 30 and Rs. 32 to be brought by an allowance to Rs. 40 and those above Rs. 70 to be brought to Rs. 87-8.
Central Provinces ...	1st October 1918	Rupees 3-8-0 to all whole-time Government servants drawing Rs. 16 and less; Rs. 6 to those drawing more than Rs. 16 but less than Rs. 50. (Grain compensation allowance is not admissible in addition.) Men drawing over Rs. 50 but less than Rs. 56 should be given such sum as is necessary in each case to bring the pay up to Rs. 56.

Building materials including bricks are very costly now. If the construction of buildings be postponed for a year, the charges will be less. I, therefore, move this resolution for the kind consideration of your Excellency's Council that provision be made for Rs. 5 lakhs for granting some allowance to the clerks and this expenditure be met from the grant of Rs. 34,20,000 provided in the budget for new works (including Minor Works) under the Head 45—Civil Works in charge of the Public Works Department.

The question for consideration is whether the prices of food-stuffs and other necessities of life has risen abnormally high. On a previous occasion I brought to the notice of your Excellency's Council that this is a fact which cannot be denied and it is beyond dispute, and labouring under that idea I have ventured again now to bring forward the case of poor and hard-working clerks to your Excellency's notice. It is not necessary for me to plead their

case, but I base my arguments entirely upon facts. I have brought the matter to your Excellency's Council, and it would be an act of justice to take their case into consideration and increase their pay as suggested by me. With these words, my Lord, I commend the resolution to your consideration."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this resolution is by way of being an echo of a resolution which was moved by the Hon'ble Maulvi Fazl-ul-Haq at Dacca on the 19th August last, with this difference that while that resolution referred to public services in general, the present resolution refers only to clerks. Otherwise the Hon'ble Maulvi Fazl-ul-Haq made a somewhat similar proposal to that now put forward. I then opposed it on the general ground that in these days of economy we cannot always be as generous as we would like to be; at that time grain prices were not high, which was a great relief to the poorer classes, and what we had done was mainly directed towards helping our menial establishments. With reference to them we had given relief involving an expenditure of Rs. 4 lakhs, out of a total scheme which would have entailed an outlay of some Rs. 17 lakhs. I said that, all things considered, that was about as far as we found that we could go. The proposal of last August is now practically repeated, but a general proposition of this kind should not be allowed to obscure the fact that in individual cases, according as they arise and according to their merits, we do give, and have given, relief even since August last to various lowly paid servants of Government. I have already referred to the fact that we have raised the pay of the menial servants in certain of the Calcutta hospitals. We have raised the pay of our press establishment on the lines of the action taken by the Government of India, which are included in the statement which the Hon'ble Member read out, and in the budget of this year we have a provision for helping the lowly paid clerks in the Registration Department. Therefore, it is not correct that we are unmindful of the needs of these low paid establishments, and in minor cases their grievances are constantly coming before us. That being so, the question is whether we should undertake a liability for this very large expenditure which the Hon'ble Mover estimates at Rs. 5 lakhs. I am not aware on what basis he has arrived at these figures, and bearing in mind that what we recently did for our menial staff involved us in an expenditure of Rs. 4 lakhs, I should think any measure of relief on the scale he has outlined must be a decidedly more expensive matter than he has mentioned. I do not think, Sir, that we should be justified even if we found the money, which it would be very difficult to do, in undertaking the liability suggested, and neither do the precedents that he has given us altogether make out a case for so doing. It is perfectly true that relief has been given to the Post and Telegraph Departments as well as to the Press and Railway establishments, but these are under the control of the Government of India and are more or less commercial departments which were subjected to a very heavy strain during the war, and I imagine that to that fact weight was attached. But apart from those instances, I cannot find in the statement a single province that has gone up in the way of relief to anything like those who are drawing Rs. 100 or under. Bombay seems to have gone up to those in receipt of Rs. 70, but the conditions of Bombay have been very special ever since the beginning of the war; references to it have appeared in the papers, and I mentioned it in this Council, in particular, in the course of the Dacca debate. Otherwise other provinces do not seem to have admitted to help anyone drawing more than Rs. 50, and even such action has been taken only in Madras, the United Provinces, the Punjab and the Central Provinces, in all

Rai R. C. Pal Bahadur.

of which areas, I may remind the Council, famine conditions are prevailing, which is not the case with us here in Bengal. On the precedents, therefore, I do not think the Hon'ble Member has justified his claim that we should help everybody up to Rs. 100, and the most I can hold out any hope of doing is in connection with papers which have just been handed to me to-day in Council. I see that in connection with one of these complaints which are constantly coming up from various sections of our staffs, we have been trying to work out a proposal to extend grain compensation allowance, possibly, to the clerical establishments in receipt of Rs. 30 and under. Grain compensation allowance, as the Council is aware, is an allowance which has now been in force for some years, and in this province it is regulated by orders passed in 1912. Its general principle is that it is regulated by a standard price of grain; if grain rises above a certain price those in receipt of a pay of Rs. 12 and under automatically get certain additions to their pay. In these papers it is suggested that we might give a similar measure of relief to clerks who are in receipt of Rs. 30 and under, and for that there is some precedent, since this Rs. 30 rate was in force at one time in place of Rs. 12 which is now adopted. I am willing to examine this suggestion further, and if we can see our way to find the money and work out a practical scheme on these lines, I will prepare a case and put it before your Excellency and my Hon'ble colleagues. There is some justification for doing so, as in my remarks at Dacca in August last I claimed that food prices were low; that, unfortunately, is no longer correct, although the prices are even now not as high as they have been in past years. However, they are not now low, and I think it is arguable that we should try and do something on these lines. I cannot be more explicit as I have not had time to examine the figures and work out details, but as a general measure of relief it looks as if something of this kind might be feasible. It does not go as far as the Hon'ble Member represents, but as I have explained, the conditions here are not the same as in other provinces, and we cannot go as far as he would wish. It is not unfair that we should relieve those drawing Rs. 30 and under, because it is those on the lowest rates of pay who have the first claim on our sympathy. I cannot accept the resolution, but I offer this possible solution to the Hon'ble Member for what he may consider it to be worth."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I rise to support the motion of my Hon'ble friend the mover of the resolution, and in doing so I may say that I have listened with very great attention, as far as I could hear, the observations of the Hon'ble Member who spoke on behalf of Government. My Lord, I acknowledge with gratitude that relief has been given in individual cases in the case of menial servants in hospitals, in the case of the press establishment and in the case of some low-paid clerks in the Registration Department. But, my Lord, the members of your Excellency's Government and the experienced members of the Indian Civil Service who are Government members here are well aware of the fact that the poorer *bhadralog* classes have been much impoverished in recent times. They are, generally speaking, people of very moderate means, earning Rs. 2 or Rs. 3 a day. They belong generally to the smaller trading community and also to the subordinate clerical establishment of Government. And, although, I observed a note of sympathy in the observations that have fallen from the Hon'ble Sir Henry Wheeler that he is prepared to grant some grain compensation allowance to clerks drawing up to Rs. 30 a month, I would ask him and your Excellency to consider this fact that in these days a man earning Rs. 2 a day cannot maintain a family of 10 or 12 heads, and such persons have consequently to starve on one meal a day

or run into debt. I am not exaggerating, and I feel bound to give expression what is already prevailing in Bengal. I would respectfully ask your Excellency and specially the members of your Excellency's Executive Council to consider how it is possible for a *bhadralog* earning Rs. 2 or Rs. 3 a day to maintain a family of 10 or 12 persons in these days of high prices of food-stuffs and cloth and everything else. There is lamentation throughout the country. Of course, I know it is so all over the world. But in those countries Government is prepared to help the people under their charge, and if I may be permitted to make a suggestion, your Excellency's Government may be pleased to raise the Rs. 30 standard to a maximum of Rs. 60. It will then to some extent relieve the distress of the poorer *bhadralog* classes who are very hard pressed in these times of high prices. They are a mute class and they do not shout forth their grievances from public platforms or send lengthy memorials to Government. But all the same they are a long-suffering class and, therefore, if the Government can see their way to raise the maximum to Rs. 60 it will be received with as much gratitude as the announcement of the exemption from income-tax of incomes below Rs. 2,000 a year. If the Government of India can show that generosity I think your Excellency's Government can also extend their generosity by granting a grain compensation allowance to persons getting Rs. 60 a month or under. Mention has been made of the Post and Telegraph men who, it has been said, have been granted allowances because they worked very hard during war time. No doubt they have worked hard, but they surely got extra remuneration. Besides, the Posts and Telegraphs men are comparatively better paid than the class I am speaking of who are getting Rs. 60 and under and towards whom, I hope, the same concession will be shown. In Bombay, it has been stated, allowances are given to those who are drawing Rs. 70 or under—I do not know whether I have heard the Hon'ble Member right—but if that is so, I think it will be no extravagance if we extend the allowance to men drawing Rs. 60 or under. I hope this question will be sympathetically considered and that something will be done to give relief to the poorer *bhadralog* classes."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have listened to the speech delivered by the Hon'ble Sir Henry Wheeler. I consider it a very important subject, because, when I put to the Council the condition of those clerks who are suffering much, I think I should also appeal to the generosity of your Excellency's Government. The Hon'ble Rai Radha Charan Pal Bahadur has said that they are suffering much ; they are toiling much from day to night ; no one to take care of them and no one to plead for them. Now, that, my Lord, is the position of these clerks. It is very gratifying to hear from what the Hon'ble Member of Government has said that Government will consider the case of those who are drawing Rs. 30 or so. My proposal is to the effect that the case of those who are drawing monthly Rs. 100 or below should be considered. The state of things if described properly to the Council is that every person who knows the conditions of life of these poor clerks will sympathize with me when I put forward the resolution. I repeat once more that your Excellency's Government ought to take notice of these poor clerks. I did not formulate the amount which is to be fixed as increased pay over the amounts which these men are drawing. The reason is simply because I left the matter entirely to Government officers to settle. It is not for me to formulate or to put forward an *ipsi dixit* on the point, but I left the case to the Government and the consideration of the Council."

Rai M. C. Mitra Bahadur.

A division was then taken with the following result :—

Ayes—7.

The Hon'ble Sir Nilratan Sarkar, KT.
" Rai Debendra Chandra Ghose Bahadur.
" Rai Radha Charan Pal Bahadur
" Rai Mahendra Chandra Mitra Bahadur.
" Babu Surendra Nath Ray.
" Babu Kishori Mohan Chaudhuri.
" Babu Ambika Charan Mazumdar.

Noes—25

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr. F. C. French, C.S.I.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. H. P. Duval.
" " Mr. M. C. McAlpin
" " Mr. F. A. A. Cowley
" " Col. J. K. Close, M.D., I.M.S.
" " Mr. W. C. Wordsworth.
" " Mr. S. G. Hart.
" " Khan Bahadur Maulvi Aminul Islam
" Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. V. Mansell, O.B.E.
" " Mr. W. H. H. Arden-Wood C.I.E.
" " Kumar Shib Shekhareswar Ray
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. W. E. Crum, O.B.E.
" " Mr. G. A. Bayley.
" " Mr. H. R. A. Irwin, C.I.E.

The following Members were absent :—

The Hon'ble Mr. C. F. Payne.
" " The Nawab Bahadur of Murshidabad
" " Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. L. V. N. Meares.
" " Mr. Provash Chunder Mitter, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" " Mr. W. H. Phelps.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The ayes being 7, and the noes 23, the resolution was lost.

ADJOURNMENT.

The Council was then adjourned to Friday, the 14th March, 1919, at 11 A.M. at Government House, Calcutta.

A. M. HUTCHISON,
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA,
The 15th April, 1919.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act. 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Friday, the 14th March, 1919, at 11 A.M.

Present:

HIS EXCELLENCY THE RIGHT HON'BLE LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble Mr. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble Mr. H. P. DUVAL.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble Mr. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble Mr. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble Mr. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble Mr. F. W. CARTER, C.I.E., C.B.E.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble KHAN SAHIB AMAN ALL

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

Sir D. P. Sarbadhikari; Babu A. C. Mazumdar.

[The discussion on the Resolutions on the Revised Financial Statement was resumed.]

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 24.

In the absence of the **Hon'ble Sir Deba Prasad Sarbadhikari** the following resolution which stood in his name went by default :—

This Council recommends to the Governor in Council—

(*a*) that a sum of Rs. 5 lakhs be provided in the budget for—

(*i*) providing counter-attractions against drink and drug habits in Calcutta and selected district towns ;

(*ii*) improving the pay and prospects of the Excise service ; and

(*iii*) facilitating temperance teaching in educational institutions; and

(*b*) that the necessary funds for the purpose be obtained by reducing to the necessary extent the charges for Civil Works in charge of the Public Works Department.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 25.

The Hon'ble Babu Ambika Charan Mazumdar moved the following resolution :—

This Council recommends to the Governor in Council :—

(*a*) that a sum of Rs. 75,000 be provided in the budget of 1919-20 for the construction of the proposed record-room at Faridpur for the custody of the District Settlement records ; and

(*b*) that this sum be met—

(*i*) by curtailment of the provision for "Criminal Investigation Department" under head 20—Police ; or

(*ii*) from the provision made for "Sub-Deputy Collectors as Circle Officers" under head General Establishment.

He said :

"My Lord, the subject matter of this resolution is one of purely local interest, and I cannot expect to attract much sympathy from the non-official members of this Council, so I shall mainly appeal to the official members of the Council. I think, at the very outset I ought frankly to confess that I do not pretend to be altogether so very disinterested in this matter as the wording of this resolution might apparently indicate. Your Excellency is aware that a college has recently been established at Faridpur mainly through your Excellency's generous considerations, and I take this opportunity of giving public expression to the debt of gratitude which the Faridpur people owe to your Excellency personally in this connection. It was your Excellency who as Governor of the Presidency granted the land required for the college without which the project would have been nipped in the bud, and again, it was your Excellency who, as Rector of the University, obtained the affiliation of the college under circumstances of no ordinary difficulty. My Lord, the humble individual who is now addressing you will always remember with gratitude and respect the generous considerations which your Excellency has from time to time shown for the accomplishment of this project. Now, my

Babu A. C. Mazumdar.

Lord, the land granted by the Government for this college contains an old building which the College Council has purchased from the municipality, but it is occupied at the present time with the settlement records of the district. In granting this land your Excellency's Government insisted upon two conditions, namely, that the college building, in whatever shape and form it might be started at the beginning must be constructed independently of, and perfectly detached from, this old building, and the other condition was that this old building though purchased from the municipality would not be given to the college authorities until Government were in a position to remove these valuable records somewhere else. The College Council has loyally submitted to both these conditions and the college building which is now nearing completion is being constructed entirely on one side of this old building and perfectly detached from it. The college has fortunately proved a success much beyond our expectation, and there seems to be a great future before it. Although we have in constructing this new building provided for nearly 500 students I believe as the run for admission in the college seems to be so great that probably even with this building the accommodation will be found insufficient, so that the College Council will shortly have to look to this old building for further expansion of the college. This old building which is now occupied by the settlement records cannot be availed of until Government constructs a record-room of its own. It may be remembered that an estimate was prepared soon after the completion of the settlement in the district of Faridpur for the custody of the settlement records—a portion of the materials was also collected and they are still lying on the ground where the building is to be constructed, but soon after the project was started the war broke out and the matter was allowed to drop. This has involved some loss also to Government, as in keeping the settlement records in this old building Government have to maintain a separate establishment of not only record-keepers and copyists but also a number of guards, and besides it has to pay a rent of Rs. 720 a year to the municipality for the use and occupation of this building. With all this, my Lord, the supervision of the Collector over this building is very imperfect for the reason that this building stands on an isolated ground far remote from the other buildings of the Collectorate. The valuable records are kept in this building in huge masses. My esteemed friend, the hon'ble Mr. Wordsworth, who went to inspect the locality at the very inception of our project knows very well how heavily it is stuffed from floor to ceiling with these records with scarcely two feet of space between each two racks for a man to pass through and then these records are being subjected to ravages of cockroaches and whiteants: so that the sooner the Government construct the record-room which was already in contemplation in 1914 the better for Government as also for the college, because in that case the college authorities will be in a position to utilize this building and expand the college further.

In placing this resolution before your Excellency's Council I have referred to two sources from which money might be drawn—first, from the allotment made for the Criminal Investigation Department under head 20—Police. My Lord, from the Financial Statement it will be seen that ever since 1915-16 the provision under this head has steadily gone on increasing. I think we live in much calmer times at the present moment. Whatever the situation might have been in 1916-17 I think we have passed the breakwater-line and are now sailing on a much smoother water. Consequently I think it will not be too much for me to expect that the provision for the Criminal Investigation Department, however necessary it may be, is susceptible of some reduction when affairs are so much changed for the better. The second source to which I have referred is the allotment for 'Sub-Deputy Collectors as Circle Officers'. I would be the last man to ask for any curtailment from the allotment for the expansion of village self-government, but I do not know if I am labouring under a mistake. It seems to me that the Village Self-Government Bill, as amended by the Select Committee, does away with circle

boards which was the original intention of the Bill, and if the circle boards are eliminated I doubt if the Circle officers should not go with it. In this view I have referred to this source also. I do not know, my Lord, if I am quite happy in my suggestions about the sources, but whatever that may be if I have made out a good case for the construction of a room for settlement records I believe Government will be able to find money—not a very large sum—in order to complete the record-room at Faridpur and thereby not only preserve the records in a much better form and condition but also provide expansion for a college for which the Government has done so much. With these observations I commend the resolution to your Excellency's Council."

The Hon'ble Mr. Cumming said :

"My Lord, as the Hon'ble Member has stated, this resolution is one of purely local interest, but even so I am glad to be in a position to meet the Hon'ble Member, although not perhaps to the extent as stated in his resolution. The project to which he has referred, viz., the construction of a record-room at Faridpur is mutually advantageous both to Government and to the Faridpur Rajendra College, the construction of which is so near to his heart. On the one hand, this project has been an important one for which Government have been desirous of supplying funds for several years. It was administratively approved five years ago. As the Hon'ble Member has explained, the existing arrangements are by no means suitable and owing to the difficulties which have arisen on account of the war it was not possible to obtain the materials which were required; and so the project has been allowed to remain in a state of suspension. It is now hoped that it will be possible to make a start with the building in the present year. On the other hand the proposal is primarily in the interest of the college for which Government have given a grant of land of over 5 acres in the immediate vicinity of this building; and my last visit to Faridpur has confirmed me as to the suitability of the proposed arrangement whereby the existing record-room should be given up for the purposes of the college as soon as possible. On these two grounds, Sir, that it is advantageous to Government and advantageous to the new college, an endeavour will be made to erect the building during the ensuing year. The Hon'ble Member, however, has entered a sum of Rs. 75,000 and has made a suggestion that it should be met from two heads. Government, however, think it more appropriate that the money should be supplied from another head regarding the diversion of which there can be no dispute. We have a sum of Rs. 40,000 under the heading of General Administration which is immediately available for diversion; and, if the Hon'ble Member would be prepared to substitute Rs. 40,000 for Rs. 75,000 in the substantive part of his resolution and will cancel clause (*b*), he may rely on Government that the financing of the building will be started and carried out in due course. So far as this resolution goes, Government will accept it if the Hon'ble Member accepts the changes to be made which I have indicated."

The Hon'ble Babu Ambika Charan Mazumdar said :

"My Lord, after the very kind assurance which has been given by the Hon'ble Mr. Cumming I do not think I need press for a division in this case. I am glad that something is being done in this direction, whether it be Rs. 75,000 or Rs. 40,000 it will not matter much. As the Hon'ble Mr. Cumming has said, I know that if Government once takes it up it will be able to complete this building within a much shorter time than we can possibly expect. I again thank Government and the Hon'ble Mr. Cumming for the suggestion he has made and with your Excellency's permission I would beg leave to say that instead of Rs. 75,000 it may be reduced to Rs. 40,000 to

Sir Henry Wheeler; The President; Babu A. C. Mazumdar; Babu A. C. Datta.

suit the convenience of the department, and that it may be taken from the General Administration head."

The Hon'ble Sir Henry Wheeler said :

"My Lord, I would like to say just a word to elaborate what the Hon'ble Mr. Cumming has said about the source from which this allotment is to be taken. I do not wish Hon'ble Members to think that there are odd sums of Rs. 40,000 lying about in the budget which can without inconvenience be diverted to other purposes. The head to which Mr. Cumming refers is the provision for the Press Censorship. There is money available under that head because when the budget was under preparation we made a provision on the same scale as in the previous year, but, as Hon'ble Members may have seen, we have recently closed down the Press Censor's establishment, and therefore the full sum will no longer be required. This change of policy was adopted after the estimates were framed.

The President said :

"The position is this. Government are prepared to accept the Hon'ble Member's resolution subject to certain modifications. The first modification is the substitution of the figures '40,000' for the figures '75,000' and the second modification is the substitution for part (*b*) of the following : 'from the lump provision for the Press Censor and his establishment under head 18—General Administration'. If the Hon'ble Member is prepared to move his resolution in that form, Government will accept it."

The Hon'ble Babu Ambica Charan Mazumdar said :

"I thankfully accept both the amendments."

The resolution was then put in the following modified form and agreed to :—

This Council recommends to the Governor in Council—

(*a*) that a sum of Rs. 40,000 be provided in the budget of 1919-20 for the construction of the proposed record-room at Faridpur for the custody of the district settlement records ; and

(*b*) that this sum be met from the lump provision for the Press Censor and his establishment under head 18—General Administration.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 26.

In the absence of the **Hon'ble Babu Akhil Chandra Datta,** the following resolution which stood in his name went by default :—

This Council recommends to the Governor in Council—

(*a*) that a sum of Rs. 20,000, or some other suitable sum, be provided in the next year's budget for the improvement of the Comilla Civil Court's compound and the buildings thereof ; and

(*b*) that this amount be taken out of—

(*i*) the provision of Rs. 2,00,000 for the improvement of the Duars Road in Jalpaiguri ; or

(*ii*) the provision of Rs. 1,00,000 for laying the Maidan roads in Calcutta with tar macadam metalling.

Babu A. C. Datta; Maulvi A. Kasem.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 27.

In the absence of the **Hon'ble Babu Akhil Chandra Datta** the following resolution which stood in his name went by default :—

That this Council recommends to the Governor in Council—

(*a*) that suitable provision be made in the budget for 1919-20 for a project for mitigating the effects of flood in the country in the district of Tippera ; and

(*b*) that the necessary amount be taken out of the provision of Rs. 4,54,000 for widening the Madaripur Bil route.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 28.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that the sum of Rs. 40,000 allotted for the construction of a steam-launch be allotted for the purpose of mitigating the effects of the floods of the Adjai in the Ausgram, Mungulkot and Ketugram thanas of the Burdwan district.

He said :

"My Lord, I would be failing in my duty if in moving this resolution, I do not on behalf of my countrymen acknowledge with thanks the sympathetic attitude taken by your Excellency's Government and the Public Works Department towards the mitigation of the effects of the floods in the Burdwan Division. Even this year in the Financial Budget, provision has been made for the mitigation of the floods both on the side of the Damodar as well as Adjai, and last year also some provision was made under this head, but up till now as far as the Adjai floods are concerned, the attention of the department has been directed entirely to the scheduled embankments up to Sagarputul and no further, and my grievance is that the people lower down the river in the whole of the Kutwa subdivision are suffering and their crops are destroyed every year, but that has not drawn much attention because it has been the normal state of affairs for the last 30 years. I do not ask for any embankment. I myself have tried in this Council on various occasions by several resolutions to draw the attention of Government and I understand that a survey has been made of the whole tract of land, but no scheme has yet matured and no funds provided for the purpose. But I hope, my Lord, this matter will receive the attention of the Government and as I had to suggest the amount to be found somewhere, I thought that the provision of a steam-launch to replace the 'Sir John Lambert' was the proper thing to do, because, I believe, that not much necessity has been shown for the construction of this launch. However, that is a minor matter, and I am less anxious for the non-replacement of this steam-launch than that some provision should be made for mitigating the effects of the floods in the area mentioned in the resolution. The situation is very grave, and I might say that in several villages in this area many people have had to leave their homes on account of the distress caused by these floods. I do not mean abnormal floods like the great floods of 1913 and 1916 and 1917, but I mean the ordinary rise of the river on account of large breaches on the banks of the Adjai, the whole tract of the land lying on the right side and some portion of the left side up to Katghiri are practically desolated because the crops are destroyed every year and sand is laid on arable land making it unfit for further cultivation, and as enquiries have already been made into the matter by the Public Works Department, I hope this question will be taken up without further delay. I appeal to the officers of the Department as well as to your Excellency's Government to give this matter consideration. With these words I commend the resolution for acceptance."

The Hon'ble Mr. Cumming said :

"In this case also, my Lord, I am speaking from personal experience. I visited the area in question with the Hon'ble Mr. Cowley. It was decided that in addition to the improvement of the embankments under the control of Government which are known as schedule D embankments, there should also be expenditure for the purpose of mitigating the floods lower down in the areas to which the Hon'ble Member has drawn attention. He complains that no money has been set aside for the purpose. It is true that the money that has been set aside is now borne in the grand total under the head of Minor Irrigation ; but it is not Rs. 40,000 but Rs. 1 lakh which has been set aside for the purpose of constructing a scheme which will prevent anything but the super-excessive floods from deluging the country, and will permit the overflow in the case of ordinary floods to be kept within bounds. In view of these facts, Sir, that far from there being no provision of outlay there is a provision of Rs. 1 lakh and that the money provided will be sufficient not only for the initiation of the scheme, but for its completion within the present year, I hope the Hon'ble Member will see his way to withdraw his resolution."

The Hon'ble Maulvi Abul Kasem said :

"My Lord, as I began by saying that I cordially acknowledge that some provision was made for Safarpulat escapement, but my point was that that escapement will no doubt mitigate the effects of the floods in the western area in certain portions of the Sadar subdivision, my point is that no escapement has been provided in the Kutwa subdivision. Owing to breaches on the banks of the Adjai the country is inundated every year on account of the river bed being much higher than the land on the opposite side. There are breaches even this year, all the water passing through the river instead of passing through the canal escapement from these breaches into the whole area. Therefore, I wanted to draw the attention of Government to this matter, but as I have done so I do not think any good will come in pressing this resolution, therefore I beg to withdraw it."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 29.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that the sum of Rs. 32,207 allotted for raising the strength of the Dacca Military Police Battalion be allotted for the purpose of increasing the pay of teachers in primary schools in rural areas.

He said :

"My Lord, there is a provision made in this year's budget for increasing the pay of teachers in primary schools in rural areas by Re. 1 a month, but I submit, my Lord, that this is very inadequate. Government spend a fairly good amount of money in *guru*-training schools where teachers in these primary schools are supposed to be trained, but the difficulty is that when these teachers are trained they cannot find any employment because the pay and the remuneration of the teachers in these primary schools in the rural areas is much less than the ministerial officers in Government offices and so they can better employ their time in other vocations than in teaching little boys in rural areas, and I think it is the duty of Government to see that proper qualified teachers and that a sufficient number of

teachers are attracted to their work by at least a living allowance and for this reason, my Lord, I beg to move this resolution, and in doing so I might only add that at the present moment there is not much necessity for adding any other battalion to the Dacca military police. It might be said that the necessity has been felt and that it will certainly improve the police administration at Dacca, but I submit that the relative necessity and importance of the two questions should be considered, and in my opinion I think the teachers of rural schools have better claims than the strengthening of the military police, and if we go through the budget for the last three or four years we find that the expenditure on the police and the strengthening of the police force has gone on increasing in a rather high proportion, and I submit, my Lord, that it is time now to curtail it or an attempt be made to curtail it. With these words I submit this resolution to the Council for acceptance."

The Hon'ble Mr. Wordsworth said :

"My Lord, the improvement of the condition of teachers in our rural primary schools has long exercised us and is likely long to exercise us. The difficulties are, as the Hon'ble Maulvi has pointed out, difficulties relating to resources, but there are also difficulties relating to the esteem or rather the want of esteem in which primary school-teachers and primary school work is held even by those sections of the community who profit most by it. We have devoted of late generous resources, using the word generous in a comparative sense, towards the improvement of the position of these teachers. So far as I remember the figures there was spent last year directly on primary education something over Rs. 7 lakhs from district board funds, about Rs. 16 lakhs from Government funds contributed by the Government of India and about Rs. 2 lakhs from provincial revenues. This Government was amongst other things able to increase the aid which was given to trained teachers in primary schools by a figure of Rs. 6 a month and to untrained teachers, that is, teachers who have no qualifications at all for the work, up to Rs. 2 a month. We would gladly welcome any additional resources, but the additional resources which the Hon'ble Member proposes would enable us to increase the pay of teachers in rural areas by something between half and three-fourths of an anna a month. I presume that the item which it is proposed to reduce has been framed in accordance with strict necessity, but even if that were not so, I doubt whether I should be able to recommend the Council to accept the resolution, seeing that it would have very little influence upon the welfare of the class whom it is intended to serve."

The Hon'ble Sir Henry Wheeler said :

"My Lord, I would like just to say a word as to the source from which the Hon'ble Member wishes to take the money as he seems to be under the impression that this is some unnecessary provision for the improvement of the local Dacca police. That is not so. As the Council is aware, in this province (apart from Darjeeling) we have practically no troops outside the city of Calcutta. If, therefore, there were disturbances necessitating the intervention of other than the ordinary police, we should either have to bring troops from Calcutta or look to the only other force which we have, namely, the military police, which happens to have its headquarters at Dacca. That force at present consists of six companies, four of which are supposed to be concentrated at Dacca, one at Hooghly, to control the large mill population employed on the banks of the river, and the other at Buxa in connection with frontier precautions. Experience has shown that we cannot ordinarily move either the company at Hooghly or that at Buxa.

Maulvi A. Kasem.

The four companies at Dacca number 448 men; our object is to provide a moveable column of 150 men which can be sent rapidly to any place at which disturbances may take place. Far from the cases being few in which such a need has arisen, there have been 65 occasions since April 1912 on which we had to utilize the military police at Dacca. But the miscellaneous duties which this small detachment at Dacca is called upon to perform take away so many men that we cannot in the event of an emergency count with certainty upon even the small column of 150 which our scheme contemplates. It is therefore proposed, and it has been approved by the Government of India, to add another reserve company to the Dacca military police, and only last year we would have very much welcomed the presence of such a reserve in connection with *hât* looting. Owing to its not being available, we had to ask Assam for assistance, which they were unable to give owing to their own frontier troubles, and we had to warn the Government of India that we might have to ask them for help. It is that contingency which this scheme is intended to meet."

The Hon'ble Maulvi Abul Kasem said:

"My Lord, I beg leave to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 30.

The Hon'ble Maulvi Abul Kasem moved the following resolution:—

This Council recommends to the Governor in Council—

(*a*) that a sum of Rs. 10,000 be allotted for the grant of special scholarships for Muhammedan boys in rural areas; and

(*b*) that the amount be met from the lump sum of Rs. 23,158 unallotted.

He said:

"My Lord, I need hardly submit to your Excellency's Government or to this Council the necessity for granting scholarships to Muhammadan boys. It is well known that the members of my community are very poor and the greatest block to the advancement of education among Muhammadans in this province, at any rate, is due to the want of means on the part of Muhammadan parents to educate their boys. The number of scholarships reserved for Moslem boys in primary and also secondary schools are very few, and I think the time has come when that number should be increased and the poor boys in rural areas, who prove themselves intelligent and industrious, should receive encouragement to prosecute their studies further. In this connection, my Lord, I beg to submit, and this I do with some amount of diffidence, that the attention of the department and of Government have of late been directed towards the Muhammadans of Eastern Bengal districts more favourably than the Muhammadans in the Burdwan and Presidency Divisions. The distribution of scholarships both for higher schools and colleges, as well as for primary schools, among the Muhammadans of Eastern and Western Bengal is in my humble opinion neither fair nor just, and that distribution has been made, I believe, on the strength of the Muhammadan population in Eastern Bengal which is very large. That may be so, but I think that the Moslems of the western districts of this Presidency have also by their past record proved

Mr. Wordsworth.

themselves deserving of special consideration, and as this amount is suggested to be drawn from the unallotted balances, I hope, my Lord, that this resolution will be accepted by your Excellency's Council."

The Hon'ble Mr. Wordsworth said :

"My Lord, the case of additional scholarships for Muhammadan boys has been receiving consideration for the last year. It was recommended by the last Muhammadan Conference that more scholarships should be reserved for Muhammadan boys in lower primary schools, and Government has accepted that resolution among others as a basis for further consideration of the question. It has long been part of the policy of Government to reserve special scholarships for Muhammadans, while at the same time allowing them full opportunity of competing for all other scholarships available. The principle has been accepted and the proposal now under consideration is merely one of degree and not of principle. It was pointed out by that Muhammadan Conference that of the scholarships in lower primary schools, which are given by district boards and not by Government, only some 10 out of a number of 700 were specially reserved for Muhammadans. We have been in correspondence with district boards for the last year endeavouring to secure accurate facts and to arrive at the basis of proposals for the consideration of Government. Progress has been slow mainly owing to the difficulty that district boards appear to have found in giving us facts, but I think the end is in sight and our proposals will soon be submitted to Government. It must, however, be remembered that these proposals were not based on any inequality in opportunities of education as between Muhammadans and any other class. The recommendation of the Committee was simply this : 'The results of the scholarship examinations for the past few years show that the ratio of the number of scholarships gained by Moslem boys to the number gained by Hindu boys is much less than the ratio of the number of Moslem school boys to the number of Hindu school boys. We think that this may be due to the method of selecting candidates from the various schools. Government has already accepted the principle of reserving scholarships for Moslem boys, but we consider that the number reserved is totally inadequate.' The problem therefore before us is to consider whether we should by any administrative regulations provide that Muhammadan boys should receive that proportion of the total number of scholarships available which their number would appear to justify. That is the question under consideration. It might be advisable if I explain to the Council the position of Muhammadan boys in regard to scholarships and the number of scholarships reserved for Muhammadan students. This number is not so small as the Hon'ble Member would suggest. In upper primary schools 24 are reserved out of 210, in middle schools 55 out of 210 ; of junior scholarships in the first two years of college, including scholarships paid for by Mohsin endowments, the Muhammadans have 163 reserved out of 279, and of senior scholarships for the last two years of college the Muhammadans have 59 reserved out of 103. This does not mean that the other communities have the balance. The Muhammadans have their own preserve, and have also equal opportunities with all other classes in relation to other scholarships. There are no scholarships reserved for Hindus with the exception of one or two trust scholarships which we administer, and of a few for those classes which we call the backward classes. It is not clear, therefore, that the Muhammadans are at present at any great disadvantage in this matter although Government will be shortly addressed on the question of increasing the number of scholarships to be reserved for Muhammadans by district boards. These scholarships are not proposed by the Muhammadan Conference with a view to redress any inequality of numbers between the members of the various communities in schools. My last figures are that in primary schools Muhammadan pupils

Maulvi A. Kasem.

are 50 per cent. of the whole; in middle schools 33 per cent. and in high schools 20 per cent. The Hon'ble Member has stated but has given no arguments in proof of his position that the distribution of these special privileges for Muhammadans as between Eastern and Western Bengal has not been fair to the Muhammadans of Western Bengal. As I am not aware of his arguments or his evidence, I am taken at a disadvantage. I can only say that I have never had this brought to my notice before and that I shall give it my careful attention at once. There is nothing in our scholarship rules, nothing in our distribution of scholarships under these rules, to suggest such an inference, and I think that so far as privileges in high schools are concerned I believe we have been careful to equalize opportunities of special scholarship as between Eastern and Western Bengal so far as lies in our power. The sources which it is proposed to use for this purpose consists of the sum of a number of small balances left from Imperial grants. These Imperial grants are large recurring grants given to us for specific purposes. We have worked out various schemes and the Rs. 23,000 merely means that our schemes have not worked up to the full allotment; *e.g.*, for female education we have Rs. 2,000 a year left, for technical education we have Rs. 4,000 a year left. These small sums will enable us to finance any small needs in connection with the expansion of those schemes as they may arise."

The Hon'ble Maulvi Abul Kasem said:

"My Lord, I have to thank the Hon'ble Mr. Wordsworth for the hope held out to us that the question of granting more scholarships to Muhammadan boys is now engaging the attention of his Department and that he will move Government in the matter at an early date. I have only to say in reply to his statement that in moving this resolution I never meant to say or to suggest that there was an inequal treatment between Hindu boys or Muhammadan boys or the Muhammadan boys as such were not receiving the same facilities which are open to the Hindu boys. I know that no scholarships are reserved for Hindu boys except the few mentioned by him, but my grievance is, and on which I base my claim, the fact that Muhammadans are comparatively very poor and they have up till now been backward in education. A time will come, and I hope it will come very soon, when there will neither be an occasion or reason for asking for special facilities for Muhammadan boys. We do it to-day because we want that the Muhammadan boys should come up to the standard of the Hindu boys and that they may compete with each other on equal terms in the open field. The Director of Public Instruction has said that the number of Muhammadan students in primary schools is 50 per cent., that is, about the proportion of the population of this Presidency, that in middle schools it is 33 and that in the high schools it is 20 per cent. and I believe if we come up to the college classes, we will find the proportion reduced further, and I may tell him that the reason why this proportion goes down is mainly, if not solely, due to the fact that the Muhammadan boys find the want of means to prosecute their studies further after the primary stage, and for this reason I move this resolution and submit to your Excellency's Government the need for further additional scholarships for Muhammadan boys. As an assurance has been given by the Director of Public Instruction, I beg to withdraw this resolution. But as regards the fact that the division between Western and Eastern Bengal is not fair, I submit that according to the population the number may be fair, but if I may say so, that of the Muhammadan scholarships the larger number go to the eastern districts and the smaller number go to the western districts. This is a matter which I hope the Director of Public Instruction will look into and I need not trouble the Council or your Excellency's Government with any remarks on it."

The resolution was then, by leave of the President, withdrawn.

Maulvi A. Kasem : Mr. Crum.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 31.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that the sum of Rs. 50,000 allotted for the improvement of the pay and prospects of European Inspectors and Sergeants be added to the sum of Rs. 80,000 allotted for the extension of Panchayati Union Schools for boys.

He said :

"My Lord, in moving this resolution I have only to submit that in my opinion, and I believe that my opinion is shared by a good many of my Indian colleagues on this side of the house, that the pay of the European inspectors and sergeants is already sufficiently attractive and that they get better and more pay than officers of equal rank who have to perform similar duties. I have to add that these inspectors and sergeants in addition to their pay also get accommodation free, and the accommodation which is provided for them is very good and comfortable and much higher rent is paid for their houses than many of the judicial officers have to pay for their houses in mufassal towns, and considering all this, to add to it will be rather an extravagance. I, therefore, submit that the Government will not be justified in increasing the pay of these inspectors and that the money might be better utilized by the extension of primary schools in this province. With these few words I commend this resolution to the Council."

The Hon'ble Mr. Crum said :

"My Lord, I think the hon'ble mover must be under a misapprehension as to what the European sergeants at present draw and as to the present cost of living. At the present moment there are two grades of European sergeants, as I understand. In the first, the appointment is on Rs. 100 rising by Rs. 2-8 a year to Rs. 125 a month and the second is on Rs. 130 rising by Rs. 5 to Rs. 150 a month. They also, as the hon'ble mover says, get quarters, that is to say, the married sergeants get quarters and the rest live in barracks. About the quarters of the married sergeants, which are not very satisfactory, the Finance Committee was, I may say, very much pressed by the Police for their improvement. But the Committee have decided that nothing could be done now but that they will have to take up the question in the near future. There are now considerable difficulties in getting an improved class of sergeants I have been a member of the Bengal branch of the Employment and Labour Board and one of our duties is to recommend to the military authorities the releasing of soldiers. Long before this question of Police came up, we had discussed very fully the rate of pay at which men of the status of sergeants in the British army could live on in Calcutta. The rate of pay proposed for the sergeants was considerably higher than what the Police sergeants get at present, but it was also higher than what is proposed to be given to them now, that is, Rs. 125 rising by Rs. 5 a year to Rs. 175 a month. The present position is this : I understand the Police require 70 new sergeants and they have applied to the Employment and Labour Board for the releasing through that Board of all the policemen required from the army. But even with the improved pay the Employment and Labour Board are exceedingly doubtful as to whether they will recommend the military authorities to release these men for service. It comes to this : Unless this Council are prepared to pay a reasonably living wage to the European sergeants in Calcutta, there won't be any European sergeant left here. And I may say that as long as Government is entrusted with the looking after of law and order I hope this will not be the case. I hope the Hon'ble Member will therefore withdraw his resolution."

Mr. O'Malley; Maulvi A. Kasem; Babu A. C. Datta.

The Hon'ble Mr. O'Malley said :

"My Lord, Mr. Crum has pointed out that the Hon'ble Member is under some misapprehension as to the pay and prospects of European inspectors and sergeants. It is now my duty to point out that he is also under a misapprehension regarding the provision which has been made in the budget for the extension of punchayati union schools. If he will refer to page 33 of either the revised or amended financial statement, he will find that the allotment for the extension of punchayati union schools for boys is Rs. 1,20,000 and not as stated in his resolution Rs. 80,000. He has proposed a diversion of Rs. 50,000 in order to make a total allotment of Rs. 1,30,000, but Rs. 1,20,000 has already been provided, only Rs 10,000 less than the total provision which he wishes to make. I think that he will scarcely quarrel about this small difference. The term 'extension of punchayati union schools' is a somewhat cryptic phrase, and I may therefore explain briefly to the Council that this is a scheme to which Government attaches considerable importance. The idea is to make provision so that boys in each locality shall have some chance of proper primary education. The object is to provide in each punchayati union for at least one decent school staffed by teachers drawing a reasonable salary instead of the poor pittance drawn by many *gurus* in *pathsalas*. It is not altogether a new scheme; it was started some years ago and carried on till about 5,000 unions had been provided with union schools. It is now proposed to revive this scheme, thanks to the grant of Rs. 5½ lakhs which has been given by the Government of India, and the sum of Rs. 1,20,000 has consequently been allotted. This will enable 120 new schools to be started. The grant will be recurring; each year more schools will be started and at the same time provision will be made for the maintenance of those schools previously established. I trust that the Hon'ble Member will accept this assurance and I suggest that in the circumstances it is scarcely necessary for him to proceed with his resolution."

The Hon'ble Maulvi Abul Kasem said :

"My Lord, when I said that the pay of the European sergeants and inspectors was sufficient, what I meant was this : when the Government pays sub-inspectors of the Calcutta police who are in charge of thanas or outposts, whatever you may call them, they get only a salary of Rs. 125, I thought that the pay of the sergeants was sufficiently attractive, but from the statement made by the Hon'ble Mr. Crum and the Hon'ble Mr. O'Malley, I have to withdraw this resolution, and I have only to point out that when I gave notice of the resolution, it was only by mistake that I put the figure 80,000 instead of 1,20,000. I got the figure from that very page which is just above that allotment. I am glad that the question is engaging attention, and I think no useful purpose will be served by pressing this resolution and I therefore beg leave to withdraw it."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 32.

In the absence of the **Hon'ble Babu Akhil Chandra Datta** the following resolution which stood in his name went by default :—

This Council recommends to the Governor in Council—

(*a*) that suitable provision be made in the next year's budget for a grant to the Comilla Municipality for the introduction of water-works ; and

Babu K. M. Chaudhuri.

(*b*) that the necessary amount be taken out of—

(*i*) the provision of Rs. 1,00,000 in the budget for laying the Maidan roads in Calcutta with tar macadam metalling; or

(*ii*) the provision of Rs. 4,30,000 for acquisition of land for the new nurses' quarters for the Medical College Hospital.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 33.

The Hon'ble Babu Kishori Mohan Chaudhuri moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that the salary of the lecturers of first grade colleges be raised to a minimum of Rs. 200 a month ; and

(*b*) that a corresponding reduction be made in the provision for miscellaneous charges under 32—Miscellaneous.

He said :

"My Lord, yesterday my friend the Hon'ble Rai Radha Charan Pal Bahadur made a very pathetic appeal for some of those hard-pressed clerks and to-day I rise to make an appeal of a similar nature on behalf of the lecturers engaged in the first grade Government colleges. My resolution is that the salary of the lecturers of first grade colleges be raised to a minimum of Rs. 200 a month, and that a corresponding reduction be made in the provision for miscellaneous charges under 32—Miscellaneous. These officers are now included in the Subordinate Educational Service, and I am sure the case of these members of the Subordinate Educational Service will come up for the consideration of Government very soon, but what I mean to say is this—that the case of these lecturers may be considered specially. These officers are engaged in the performance of important duties. It is not only for the benefit of those lecturers but also for the benefit of the students committed to their charge that I make this appeal. These officers were appointed some on Rs. 100 or Rs. 125 and they are now drawing a pay of Rs. 150 or so at most or it may be Rs. 175. They are engaged not for teaching school students for which no work at home is necessary. If they are to make their lectures interesting, if they are to look to the interest of the students committed to their charge and examine papers and point out deficiencies and make suggestions to their pupils in what way they are to improve their lessons, I beg to submit, my Lord, that all this work requires at least a considerable time to be devoted at home to it, so that the work may be quite up to the mark. But now-a-days it is very difficult for any man of ordinary means, specially of Indian habits, who are generally beset with a number of dependants upon them to manage with a pay of Rs. 100, Rs. 125 or Rs. 150 and they naturally look to other sources of income either by literary work or by doing some work as a private tutor to some pupils. It is not possible for them to be self-supporting without looking to other sources of income, and it is impossible for them to devote their whole time to college work. It is for this reason and for the fact that they have become very hard pressed owing to the fact that the necessities of life have become very costly, that I have ventured to make this appeal on their behalf to your Excellency's Government and I hope your Excellency's Government will do something as early as possible for the relief of these members of the Subordinate Educational Service. Of course I have suggested that a corresponding reduction be made in the provision for miscellaneous charges under 32—Miscellaneous, but this

is a mere suggestion. If your Excellency's Government are convinced that something ought to be done, money may be found anywhere. All I can say is that something ought to be done to relieve these officers. With these words I commend this resolution to the acceptance of the Council."

The Hon'ble Mr. Wordsworth said :

"My Lord, the Hon'ble Member has spoken in generous terms on behalf of the lecturers in our Government colleges, but has spoken in such general terms that I find it difficult to reply. At one moment his arguments appeared to be based entirely on the economical ground that the cost of living is such as to make their salary insufficient. If this is so, the same conditions apply to head masters of Government schools and to other officers in the Subordinate Educational Service. At another moment he appeared to base his arguments upon the consideration that lecturers work harder than masters in schools. That, Sir, is not my experience. I believe that the work of the head masters and other masters in our schools is more arduous, and head masters certainly have larger responsibilities. The Hon'ble Member moved the same resolution last year. On behalf of Government I then replied at considerable length, and, I thought at the time, with considerable illumination. I do not appear to have convinced the Hon'ble Member and I can only repeat briefly now what I then said at greater length. Our Government colleges are manned by two classes of officers—professors and lecturers. Professors are either Englishmen brought out from England in the Indian Educational Service or Indian gentlemen recruited locally in the Provincial Educational Service. They are assisted in their work by a class of junior officers whom we call lecturers and who are supposed to do less responsible and less arduous work, and are placed in the subordinate service. They are usually appointed on Rs. 125 a month and rise by degrees to a maximum of Rs. 250 a month. It has been frequently pointed out—I believe it was pointed out by the Hon'ble Member last year—that the academic and other qualifications of the lecturers are fully equal to those of Indian gentlemen in the Provincial Educational Service. I admit this in many cases. I must question it in many cases. But the position from the administrative standpoint is that when they applied for lecturers' appointments they were prepared and even anxious to get those posts and they knew that the posts carried with them an assurance but not a certainty of appointment as professors in the higher service when opportunities arrived. Appointments to colleges are made in fact by the governing bodies who are expected to consider, and it is their practice to consider, the claims of all lecturers already in Government service whenever they make appointments. A man who is already serving in a Government college has certain claims to consideration. He has certain advantages in his favour in all competition for posts in the higher service. But it depends partly upon the fortunes of life whether he succeeds in obtaining a higher post or not. For those who are acquainted with colleges in England I may instance a similar arrangement whereby we have assistant lecturers to profesors. Those assistant lecturers are usually paid at a much lower rate than professors. They are often equally qualified with their professors in an academic sense and they hope to become professors some day. We have full sympathy with those of our lecturers who do not succeed in obtaining entrance to the higher service but we can scarcely be called upon to redress the inequalities of fortune by administrative action especially as that administrative action would mean a considerable additional burden to the Indian taxpayer and would mean very little, if any, addition of efficiency to the work of our colleges. We have nearly 50 such lecturers. The proposal is to give them an initial salary of Rs. 200 a month, that is to say, to include them in the Provincial Educational Service. This will mean roughly a recurring charge of Rs. 90,000 a year and the proposal is to meet this recurring charge out of a head which

Babu Kishori Mohan Chaudhuri; Babu A. C. Datta.

s non-recurring. It may be that some other member will speak on that point, ut the meaning of this item which it is proposed to reduce—Miscellaneous tem—is set out in the pages of the Financial Statement, and I think t is clear that what is budgetted for is nearly actual expenditure. These ecturers are in pay practically on the same basis as our head masters, but vhile the head masters of our schools who have more arduous and more esponsible duties to perform and who carry them out at least with equal fficiency and loyalty, are seldom appointed head masters until they have lone many years' service as assistant masters on small pay; these lecturers vho may be equally qualified with more highly paid officials or who may not e better qualified than many of our school masters commence at a much ounger age on a salary of Rs. 125 a month. Therefore, as compared with ur head masters, they are many years ahead in advantage. For these reasons am unable to recommend to the Council the acceptance of this resolution."

he Hon'ble Babu Kishori Mohan Chaudhuri said :

"My Lord, I have been trying no doubt for some time past to effect an mprovement in the pay and prospects of the poorly-paid professors. I stated n some other occasion that we must arrange to attract better qualified men o these posts. It is no answer to say—'why they accept a post on so low pay and very soon begin to clamour for higher pay'. When one is n need of some employment he must be anxious to get any whether t be on small pay or high pay. But some consideration ought to be shown o him for the special nature of work in which he is engaged. Even in the teforms Scheme the pay and prospects of the civilians are under consideration. t is true that the head masters are also engaged in doing important work nd that they also get a very small pay, and if it is necessary to do something or them I have no objection, but my point is that something should be done or these lecturers also so that there may not be any demoralizing effect upon heir zeal and devotion to work. It is hardly necessary for me to point out hat the amount allowed to them is hardly sufficient to maintain them with ecency. Considering the nature of work in which they are engaged—which I ave already explained to your Excellency—I think their case deserves separate nd special consideration, and it is with this view that I have brought orward this resolution. I am sorry for the reply that has been given to me nd I would have been glad even if some hope had been held out that something would be done for them in the near future. If something is done for hem then the present incumbents of the posts of lecturers would not be nxious to go elsewhere whenever they get an opportunity. I would say hat either at once or as early as possible something ought to be done and have nothing more to add."

The resolution was then put and lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 34.

In the absence of the **Hon'ble Babu Akhil Chandra Datta** the following esolution which stood in his name went by default :—

This Council recommends to the Governor in Council—

(*a*) that suitable provision be made in the budget for 1919-20 for giving effect to the scheme for raising the Comilla Faizennessa Girls' School to the standard of a High English School; and

Rai R. C. Pal Bahadur ; the President

(*b*) that the necessary amount be taken out of—

(*i*) the provision of Rs. 1,24,000 for the construction of buildings for *guru*-training schools ; or

(*ii*) the provision of Rs. 1,00,000 for a capital grant to the Calcutta Girls' High School ; or

(*iii*) the provision of Rs. 50,000 for the extension of the Dow Hill Girls' School, Kurseong.

The Hon'ble Rai Radha Charan Pal Bahadur said :

"My Lord, I have a personal appeal to make to your Excellency. I am grateful to your Excellency for having allowed my resolutions to stand over during my temporary absence yesterday. I was late in coming to-day, but I was under the impression that my resolutions will be taken up last. And if your Excellency will kindly allow me to move my resolutions, I shall be glad to move them now."

The President said :

"The Hon'ble Member yesterday asked me to postpone his resolutions on the ground that he had to be absent in connection with public work elsewhere and I regarded that as sufficient reason for acceding to his request for postponing his resolutions. When I called upon him this morning he was not present. I understand he now says that he thought that I intended to postpone his resolutions until the end of the Agenda paper. If that is so, I am prepared to grant the Hon'ble Member permission to move his resolutions."

The Hon'ble Rai Radha Charan Pal Bahadur said :

"My Lord, I beg to express my gratitude to your Excellency in giving me permission to move my resolutions."

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 18.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that Rs. 5 lakhs be provided for the extension of primary education within the municipal limits of Calcutta ; and

(*b*) that the amount be met by a corresponding reduction in—

(*i*) the provision of Rs. 6,30,000 for building nurses' quarters at the Medical College Hospital ; and

(*ii*) the grant-in-aid for education amounting to Rs. 26,43,000.

He said :

"My Lord, it is an old question and it has been raised for years past in this Council. I am myself one of them who have for the last two or three years moved in the matter and tried to divert some money for the promotion of primary education in Calcutta. The history of the subject is this : Mr. Hornell, the then Director of Public Instruction, finding the keen interest taken by the people of Calcutta in the matter of primary education delivered an interesting lecture on educational organization in Calcutta under the auspices, I believe, of the Social Study Society. In the course of his admirable address he observed that the condition of primary schools in

Rai R. C. Pal Bahadur.

Calcutta was simply disgraceful. This attracted the attention of the Calcutta Corporation who, under the guidance of the late Sir Charles Allen, submitted to Government that they were prepared to take charge of the primary education in Calcutta if the Government would favour them with sufficient grants for the purpose. The matter was further inquired into by the Corporation and it was found by Sir Archdale Earle, the then Chairman, and who was sometime the Director of Public Instruction, that the minimum cost would be not less than Rs. 6 lakhs to start with. The cost seemed to be prohibitive and a representation was made by the Corporation to the Government to the effect that they would be prepared to confer with Government in this matter if the Government would furnish them with a practical scheme on the subject. The question was then further considered by Mr. Hornell who said that if the Corporation were prepared to capitalize the present grants-in-aid contributed towards primary schools to defray the cost of building houses for these schools in Calcutta the Government might consider the question of maintaining these schools. The Corporation without definitely committing themselves stated that they were prepared to consider Mr. Hornell's proposals and that they were also prepared to pay a contribution from the capital loan fund extending over a certain number of years to meet the cost of building several suitable houses for primary schools in Calcutta. At a rough estimate it was found that the whole thing would cost Rs. 10 lakhs, but that if it were spread over a number of years the Corporation was prepared to finance it from the loan fund. This matter was raised in this Council and during the budget debate of 1915-16 the Hon'ble Mr. Hornell stated that it was a very complicated and difficult subject and that nothing could be done without a proper survey. In reply to my motion he said :—

'. . . . . the Corporation of Calcutta appointed a Committee to consider the question of school arrangements for Calcutta. The Committee decided that they could do nothing until they had ascertained what Government proposed to do. I was consulted in June last, and I advised Government that they would not be able to move in the matter until they knew more of what the problem of school provision in Calcutta really is, both as regards boys and as regards girls. I urged that the next step should be the carrying out of an educational survey of the whole municipal area, and, as a result, Mr. K. C. De was placed on special duty with specific instructions for the drawing up of the survey. When the war broke out, Mr. De's services were requisitioned for other activities, but he decided, in addition to his other labours, to do what he could to carry on the survey which he had begun with considerable vigour, and I understand though he has not completed his work which he would have done if he had not been called upon to do other work in connection with the war, he is well on with it, and that before very long the survey will be submitted. . . . . Besides, we do not really know what the problem in Calcutta is, and until we do know this, I do not see how we can inaugurate a scheme of improvement even if we had the money, which we have not'.

My Lord, that was in 1915-16. That report, however, could not be finished by Mr. De as he was soon after placed on certain special duty and Mr. J. N. Roy was asked to take up the work. He finished his work and the report was submitted to Government on the 15th November, 1915. The account that is given in the report of the conditions of primary schools in Calcutta was enough to make not only the residents of Calcutta but also the Corporation and the Government feel ashamed. The majority of them were badly equipped and the staff was insufficient. The houses were ill-lighted and the ventilation was bad. I need not quote anything further from Mr. Roy's report. But that was the condition of the primary schools in Calcutta. Mr. Roy suggested in his report that there was urgent need for model primary schools in Calcutta and that they should be started at once. He also suggested that strict rules should be laid down for all

Rai R. C. Pal Bahadur.

middle English and primary schools as to the condition of buildings and the adequacy of sanitation and the distance of one school from another. As regards Muhammadan schools he suggested that the Moslem schools attached to mosques were very neat and tidy but that they should be developed and that they should have well-paid teachers on their staffs. These are the recommendations that were made. In subsequent years I again moved in the matter and to my great disappointment I was told again that although the report had been received another report was awaited and that maps must be prepared to show the location of the existing schools so that they might determine where the model schools should be constructed. In reply to my resolution the Hon'ble Mr. Hornell said :—'The Inspector of Schools in the Presidency Division is now having maps prepared of the whole of the Calcutta municipal area showing what schools there are, both primary and secondary, and indicating on this map with reference to the population, what primary schools should be erected, when funds are available'. That was in the year 1917-18. A copy of the report is now in my hands, but I have not got the plan although this report says that the plan accompanies the report of Mr. Dunn who was Inspector of Schools, Presidency Division, in 1918 when he wrote the report just one year ago. He says that in addition to the informations contained in that communication there were certain maps compiled by the Survey of India Office showing the location, etc., of these schools. It will be seen that this second report was prepared by Mr. Dunn and submitted to Government last year with the map. Mr. Hornell assured us that he was arranging for a survey showing the different places in which the schools are situated. The Government seemed to be anxious to take up the matter in right earnest as soon as informations were forthcoming. All informations were collected last year. But unfortunately nothing has practically emerged from the Government assurance. I do not know when something practical will be done. And, therefore, I have returned to my subject this year and whatever may be the fate of this resolution—we all know what fate awaits it—I still think it my duty to press the resolution to the attention of Government. But before doing so, I will also place certain other facts before them. Here in Calcutta we have got a population of 896,000. Out of that, 15 per cent., that is, about 135,000 are of school-going age. Forty-eight per cent. of the latter are at present receiving their education in Calcutta. And I am glad that Mr. Dunn mentions in his report that the credit of giving education to these boys is due to private enterprise of public-spirited individuals. When a responsible officer of Government states that it is entirely due to private efforts and private enterprise then I think the people of Calcutta might take some credit and ask the Government for more help. How far can the public proceed? I find the Government grant is only Rs. 32,600, and the Corporation grant is Rs. 66,000 besides remission of rates to school premises. It will, therefore, be seen that the Government grant is deplorably inadequate. Turning to the report again I find some very interesting statements. Mr. Dunn has found that there is a laudable demand for education by the people of Calcutta—by the lower class population. The report says that the working class people are very anxious to get some sort of elementary education and that is a very hopeful feature. Mr. Dunn also states that out of 521 primary schools in Calcutta 169 are *maktabs* or primary schools for Muhammadans and that the Muhammadans are also very anxious to extend primary education. These schools although aided by Government depend on subscriptions from local people. These schools are without control although Government grants Rs. 32,000 for their aid and the fees realized by them amount to Rs. 70,000. There is a Sub-Inspector for these schools but he visits them once a year only and the ward Commissioner reports once a year how they are conducted before the Corporation grants their aid. These schools are started in a perfunctory way by pandits here and there and they are never conducted in an efficient manner. As regards teachers, out of 711 teachers 586 are untrained and I find from Messrs. De and Roy's

report that they get even lower salaries than menial servants, only Rs. 7 or 8 a month and they can give lessons only in বর্ণপরিচয় etc. There is hardly any other training in these schools. Another difficulty is this. Out of 135,000 boys only 65,000 receive some sort of education in some schools; 69,000 go without any education. And if my hon'ble friend Babu Surendra Nath Roy's Bill becomes law and its provisions are extended to Calcutta then these boys must receive compulsory training. Therefore it will be seen that there is an urgent need for provision by Government. Of the boys who receive education I find that about 36,000 only are comparatively better instructed in secondary schools where there are more efficient primary classes, as in the Metropolitan College, City College and other institutions where there are better qualified teachers. The remaining 29,000 receive only a sort of *nam ka wasté* education which is very unsatisfactory. Mr. Dunn says in his report that the condition of these schools for 29,000 boys requires immediate improvement and this is a matter of great urgency. He also suggests the creation of new schools for those who are not receiving any education at all. It will be thus seen that the question of providing funds for the improvement of primary education in Calcutta can no longer be deferred. It may be said and it has often been said that the Corporation should take up this task. As Sir Charles Allen observed and as has been observed in the Corporation debates that although the Corporation have recently agreed to share in this task, it is not part of their duty to do so. The Calcutta Municipal Act lays down certain statutory obligations on the Corporation. But this does not come under these obligatory duties. There is what is called a discretionary clause under which the Corporation can, if funds permit after meeting the obligatory duties, devote surplus funds towards objects of public utility. When this provision was being discussed in Council I think no less an authority than Sir Alfred Croft laid down that the duty of contributing towards education did not come within the purview of the Corporation. I think Sir Gurudas Banerjee moved a motion to the effect that as the suburban municipalities which were going to be incorporated with the Calcutta Municipality, paid Rs. 3,000 to some *patshalas*, that sum should now be paid by the Calcutta Corporation towards education in the suburban areas. The Council after some discussion agreed to the proposal. That sum of Rs. 3,000 has become Rs. 1 lakh at the present day. The case of Bombay is cited. But in comparison with Bombay our case is quite different. Bombay maintains well conducted primary schools and spends Rs. 6,93,000 towards education, but my Lord, Bombay, in addition to rates and taxes, has got an extra revenue which Calcutta has not. From town duties alone Bombay gets Rs. 20 lakhs. Then there are the Excise duties from which they get Rs. 1,11,000 and from other duties Rs. 3,71,000. It will therefore be seen that while Bombay gets about Rs. 26 lakhs over and above their income on rates and taxes, Calcutta gets nothing. If we are to spend anything outside our statutory obligations we must in the absence of an extra revenue impose additional rates. That will not be fair to the population of Calcutta. The Government should contribute substantially towards this object or surrender some revenue and that was also the opinion of an eminent member of the Civil Service who, if he were alive to-day, would have occupied a seat on your Excellency's right—I mean the late Sir Charles Allen. The Corporation is prepared to share the burden with Government, but the Government should make substantial contribution at least—"

[The Hon'ble Member having exceeded his time limit, resumed his seat.]

The Hon'ble Mr. Carter said :

"My Lord, I am not quite sure that the Hon'ble Rai Radha Charan Pal Bahadur is justified in making the suggestion contained in the second part

Sir R. N. Mookerjee.

of his resolution which is that the provision of Rs. 6,30,000 for building nurses' quarters at the Medical College Hospital should be taken away for the purpose of giving effect to the suggestion made in the first part of his resolution. The position as regards house accommodation for the nurses at the Medical College Hospital has already been explained fully by the Hon'ble Sir Henry Wheeler, but I notice that the Hon'ble Member still wants, from the wording of his resolution, to cut down the sums allotted for this purpose. No less than five resolutions at this meeting aim at reducing this grant. I do not know that I am very much surprised at this as for some time now the non-official Indians of this city have never taken any great interest in this most deserving Institution—the Calcutta Hospital Nurses' Institution. Subscriptions towards this fund from my Indian friends are far below those contributed by the Europeans and yet the whole group of hospitals at the Medical College are for the relief of dying and suffering amongst the Indians. I can assure my hon'ble friend that the accommodation is really needed and I should like to say that there are now in the nurses' quarters exclusive of *dhais* 125 nurses and the quarters are so crowded that many of the smaller rooms contain two beds. In addition to overcrowding the quarters have not a sufficient number of bathrooms and other sanitary accommodation. It is not possible to find accommodation for a single extra nurse in the present quarters, and it is proposed shortly to construct a new Eye Hospital containing 175 beds as also to extend the Eden Hospital which is at present very greatly overcrowded. In addition to these there are the new Tuberculor Wards which are shortly to be constructed. The new Tuberculor Wards, the Eye Hospital and the extended Eden Hospital cannot be got into use until quarters have been built for more nurses. The nurses' duties are highly arduous and laborious and the work they are expected to perform in a tropical climate like this will entitle them to double pay elsewhere. Perhaps the Hon'ble Member has never visited the nurses' quarters at the Medical College to see the misery there with his own eyes. Had he done so I am pretty sure that no attempt would have been made on his part to reduce the sum budgetted for the building of their quarters. No arrangement to make the nurses willing to stay on should be questioned by anyone, least of all by those who from lack of professional knowledge are unable to appreciate their priceless services. I hope in the next budget Government will see their way to set aside a sum to improve the nurses' quarters at the Presidency General Hospital which also badly requires reconstruction."

The Hon'ble Sir R. N. Mookerjee said :

"My Lord, I beg to oppose the motion not that I am opposed to the extension of primary education not only to Calcutta but to every corner of Bengal. I am an advocate of primary education and I think that it is essential to extend primary education throughout Bengal in such a manner as to enable us to keep pace with the progress of the world. I object to the method which my hon'ble friend suggests to adopt to find money—I mean the sources from which he wants to draw the money. My Lord, I do not belong to the medical profession and therefore I am not an authority to say anything on the necessity of these nurses. My hon'ble friend, Mr. Carter, who is the President of the Calcutta Hospital Nurses' Institution, of which I am also a Member, has told the Council how necessary it is to provide accommodation for these nurses, but in my opinion a patient is more competent to give his opinion as to the best means of alleviating human suffering in the sick bed. It is universally admitted by the medical profession and by the outside public that since the introduction of this nursing system that human suffering or at any rate the mortality has been reduced to almost an irreducible minimum. Now-a-days a physician finds himself helpless to attend a typhoid or pneumonia case if there is no nurse to attend the patient. A surgeon also refuses to make a

Rai D. C. Ghose Bahadur.

major operation if he does not find a nurse ready to help him. In these circumstances I am surprised that my friend has come forward with a proposition interfering with the provision of quarters for nurses who obviously mitigate human suffering. Calcutta has been very meagre in its supply of nurses to all the hospitals. Owing to the war Government I believe could not make sufficient provision for the construction of nurses' quarters for the last four years, and when Government have provided a good sum for completing these quarters, I am really amazed that a man of the standing of my hon'ble friend, who takes such interest in the mitigation of the distress of the poor, should come forward and ask Government to postpone the construction of the nurses' quarters. Secondly, I am also opposed to his proposal of taking money from one item and devoting it to another. He must be aware as a Member of the Finance Committee that after great deliberation the Finance Department have allotted certain amounts of money to certain heads and to come forward at the eleventh hour asking for diversion of money is simply, to say the least, to bring the machinery to a standstill. Finally, my Lord, I think it is time that our countrymen should recognize that if we want to extend our primary education we must nationalize it. It will never make any progress or headway if we are dependent only on the doles of Government. The Calcutta Corporation, the Corporation of the premier city of India, should first take the lead and set an example of nationalizing the primary education system. It is nothing for the Calcutta Corporation to provide Rs. 6 lakhs and I would say that the poorer municipalities have a stronger claim on Government in these matters than the Calcutta Corporation which is rich enough to maintain their own schools."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :

"My Lord, I should take a different position from that taken up by Sir Rajendra Mookerjee. I think I ought to support the motion of my hon'ble colleague Rai Radha Charan Pal Bahadur—not that I deprecate the idea of constructing the nurses' quarters, but as a rule the non-official members have to indicate the source from which the funds required have to be taken and I think my hon'ble friend Rai Radha Charan Pal Bahadur found no other alternative than to fall on this allotment of Rs. 6 lakhs, which is rather an expensive grant. But having regard to the fact that there had been no appeals in this Council for the construction of such quarters and that there had been repeated appeals in this Council for the extension of primary education, it is somewhat extraordinary that Government find their way to allot the whole sum necessary for the complete construction and equipment of the nurses' quarters and are not content to make an allotment for a partial construction of these quarters this year, leaving the completion of it to the succeeding year. I am a little familiar with the working of the Hospital Nurses' Institution, and therefore I am not one who is wanting in appreciation of the benefits arising from the labours of the nurses belonging to that institution. A remark has been made by the Hon'ble Mr. Carter about the want of support by the Indian community to this institution. The remark is quite true that the Indian community as a whole have not actually supported this institution, and the reason for it is clear. The Hospital Nurses' Institution has to bring its efforts to the knowledge of the people of the Indian community who ordinarily do not avail themselves of medical aid in hospitals. Our people from the lowest to the highest refuse to go to the hospital, and that being so they cannot imagine what benefits the nurses can give to the patients in hospitals. The efforts of this institution would have been brought to the knowledge of the Indian community if calls for attendance on sick patients at their homes had been responded to. But I can say that the nurses of this institution do not go for attendance at the residences of members of the Indian community. There might be some social difficulties

The President; Maharajadhiraja Bahadur of Burdwan.

or other difficulties and I can quite understand why they are not sent out by the authorities, but there remains the fact that such nurses are not sent out to the residences of members of the Indian community, and that being so, the complaint of the Hon'ble Mr. Carter loses much of its force. What I suggest, my Lord, is this—that half the amount which has been budgetted for the Hospital Nurses' Institution this year may be allotted for the actual construction of the building and the rest next year. We know that the cost of a building this year would be much more than the cost of a building next year, owing to the present abnormal rise in the price of all sorts of building materials. It would certainly be an economy if you do not spend the whole of this Rs. 6 lakhs this year, and therefore I would pray to your lordship that a certain portion of this money, say a sum of Rs. 1 lakh or Rs. 2 lakhs, and a certain sum from the grant-in-aid for education might be devoted for the purpose of starting primary schools in the town of Calcutta. If the Hon'ble Sir R. N. Mookerjee had honoured the Corporation with his presence he would have probably seen that the Corporation are not wanting in their duty and that they have certainly been doing their best unaided for the last 10 years, and that although Sir Charles Allen and his successors tried to do something in this direction, I may mention that only this year during the Chairmanship of the Hon'ble Mr. Payne a sum of Rs. 5 lakhs has been ear-marked in the budget for the promotion of primary education in Calcutta. The true difficulty is this—there is a certain want of earnestness on the part of Government in this matter of promotion of primary education. We have read and heard that elsewhere very lately. Whenever there has been any question about primary education, the reply has been 'that unless there are trained teachers you cannot have primary schools and that this is a matter for the Provincial Government and not for the Imperial Government'. When we come to the Provincial Government we are told that there are no funds: there are funds for every possible thing but there are no funds for this thing, and we are told on the eve of the constitutional reforms by one party that you cannot enlarge the franchise because there is no mass education. I appeal to your Excellency whether my hon'ble friend, Rai Radha Charan Pal Bahadur, has been failing in his duty in bringing this question to your Lordship's consideration or whether he has been trying to do his duty. Nothing has been said as yet by any Hon'ble Member as to why we should not get in the matter of promotion of primary education in the city of Calcutta a certain decent sum from the sum of Rs. 33·86 lakhs for works in progress as we find in the budget. That being so, I think that Government will feel some difficulty in not allotting a sum equal to what the Corporation has ear-marked, that is, a sum of Rs. 5 lakhs for the promotion of primary education in the city of Calcutta. The Hon'ble Mr. Wordsworth who wants that the purse strings of Government should be held very tight has found to his satisfaction that a sum of over Rs. 18 lakhs has remained unexpended when the year came to a close. I think better consideration of the educational needs of the province would have enabled him to expend the whole of this balance, and I think that if he will place himself in the position of an inhabitant of this place he, instead of counting his days for pension and retirement, would have sympathized with us and would have done something better than what he has done."

The President said:

"I think it would be a convenience to the Muhammadan members if we take the adjournment now."

AFTER LUNCH.

The Hon'ble Maharajadhiraja Bahadur of Burdwan said:

My Lord, the Hon'ble Rai Radha Charan Pal Bahadur has brought to the notice of the Government the question of the extension of primary education in Municipal Calcutta, and he has given a history of the activities of the

Maharajadhiraja Bahadur of Burdwan.

Corporation and its Chairman and members from time to time drawing the attention of Government on the subject. If I have caught him aright, he begins by saying that an early speech of Mr. Hornell really drew the serious attention of the Calcutta Corporation to the subject. Then he refers to certain matters which the late Sir Charles Allen, Sir Archdale Earle and others had expressed on the subject in the Corporation. I think that so far as his case regarding the proposal that Government should make a grant of Rs. 5 lakhs is concerned. I do not think that at the present moment he has been able to make out a strong one at all. On the other hand, of course, he is justified to a certain extent in complaining that he is not aware what action has been taken on the subject of Mr. Dunn's report on an exhaustive survey of the question of primary and technical education in the city of Calcutta. First of all, I shall take the point about Mr. Dunn's report. I regret that there has been a good deal of delay in the department concerned regarding the taking up of this report. It is quite true that the date of the report is February 1918, and that practically a year has elapsed since the report was submitted, but there have been certain circumstances over which the Education Department had no control and, further, there has been this general question of primary education receiving the attention of Government which has, I may say to a large extent, been responsible for no departmental action having been as yet taken on Mr. Dunn's report excepting the fact that the Director of Public Instruction has informed the Chairman of the Corporation of the report and has also intimated the Government of it. The Government is awaiting the opinion and proposals of the Director of Public Instruction on Mr. Dunn's report. The hon'ble mover will admit that although there has been delay, Government must now await the report from the Director on the subject and send it on to the Corporation and stay action until the proposals of the Corporation are received.

I shall now deal with the question of the proposed provision of Rs. 5 lakhs on the part of Government. The Hon'ble Member himself knows that although the Calcutta Corporation, according to a subsequent speaker, Rai Bahadur Debender Chunder Ghose, has earmarked Rs. 5 lakhs for the purpose of the extension of primary education—and that information is no doubt gratifying to Government—there are no schemes ready at present. I think therefore that before Government could be expected to provide any funds in the budget it must have from the Corporation the information as to whether or how far they are willing to accept Mr. Dunn's proposals and on those proposals what they themselves propose to do for the extension of primary education in the city, because it may be quite possible that when they have considered Mr. Dunn's report they may find that the sum which they have earmarked may be quite inadequate or that revised figures will be required. All these matters have got to be taken into consideration before one could expect Government to put in any figure in the budget. But on this point I may say that if during the current year the Corporation after hearing from Government officially on Mr. Dunn's report and after going into the thing thoroughly they bring forward before the Government a crystallized scheme for consideration, that later on we might possibly be able to give it a start say, by next year, and Government would then consider favourably the question as to whether or not it would be possible for Government to make a grant from the savings from the grants-in-aid, but at the present moment it is quite impossible for Government to hold out any promise or to put into the budget any definite figure. Moreover, I think the Hon'ble Rai R. C. Pal Bahadur must realize that we are about to go into the whole question of primary education on a voluntary basis if the Bill of Babu Surendra Nath Ray is passed into law which contemplates the provision of an adequate system of voluntary education; and that being so, I may say that Government is bound, in making any programme for the extension of primary education, to look into the claims of municipalities

Rai R. C. Pal Bahadur.

and district boards first. I do not say for a moment that Government does not propose to consider favourably the question of primary education in this city, but as Sir R. N. Mookerjee has very rightly pointed out, the poorer municipalities and urban areas should, I think, have prior claim in this matter. As I have already said, when Mr. Dunn's report has been sent on officially to the Corporation and the Corporation has considered the proposals carefully, I am quite prepared to look into the matter and see if it be possible, say this time next year, to contribute something towards it. But as things are at present, while I regret the delay on the part of the department concerned in going into the merits of Mr. Dunn's report and proposals, there being no proposals of the Corporation before Government, Government would not be justified in making any provision in the budget, and I think also that the Bill of Babu Surendra Nath Ray and the effect it has on municipalities at large should be watched. For these reasons I trust that the Hon'ble Rai Radha Charan Pal Bahadur will not press for his resolution. All that I can say is that Government are fully alive to the requirements of the City of Calcutta and it is for that very reason that they appointed Mr. Dunn to go into the question. It is to be regretted that the consideration of the report has been delayed, but there is no reason why it should not be gone into in the present year and that a crystallized scheme might be possible to work upon from the very next year. For these reasons, my Lord, I cannot recommend the Government to accept the proposal made by the Hon'ble Rai R. C. Pal Bahadur.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

My Lord, I have listened to some of the criticisms on my resolution and the most courteous way in which the Hon'ble Mr. Carter has opposed my motion with special reference to my proposal to appropriate some of the money in connection with the nurses' institution deserves a courteous reply. I quite recognize the importance of the provision of quarters for nurses in connection with the Medical College. I was in the Finance Committee when this matter came up, and I may say, if I am permitted to observe, there was some suggestion that the whole sum may not possibly be spent this year. This Rs. 6,30,000 comprises Rs. 4,30,000 for acquisition of land and Rs. 2,00,000 for building. From our experience in other public bodies with which I am connected, I may state that the acquisition of land cannot be done in the twinkling of an eye. It goes through a certain process and there is inevitable delay and I do not know whether it would be possible to acquire the land and construct the buildings, that is to say, to spend the whole sum of Rs. 6,50,000 during the next twelve months. I made this suggestion not with a view to curtail the expenditure but with a view to utilize the probable savings. This is my explanation. The proposal was not made in an unsympathetic spirit or in a spirit to deprive the nurses of the quarters which they well deserve, and I hope this explanation will be accepted by my hon'ble friend. As regards the observations of Sir R. N. Mookerjee I must say that I do not know what reply I should give. As regards the nurses I have submitted my explanation which covers also his observation with reference to my proposal. I suggested that a certain sum of money from the grant-in-aid for education be given towards primary education and Sir Mookerjee said that Government after considering all the needs had prepared the budget. As far as I have been able to follow him, he does not think that a responsible member of this Council should propose any reduction of the allotment which Government have thought fit to make from the budget and suggest utilization in another way. My Lord, I have been for two generations associated with the public affairs of the city and I do not know whether any responsible member would be doing his duty if he shrinks from making a suggestion in moving a resolution that a certain sum of money may be appropriated from a particular head because Government have thought fit to allot that sum of money on that head.

Maharajadhiraja Bahadur of Burdwan: Rai R. C. Pal Bahadur.

It may be that the proposal as regards the appropriation from this particular head is not quite possible or feasible, but we non-official members are outside the Government machinery and if we do not suggest possible items from which appropriation may be made our resolutions will not be admitted, and if we are not to say anything on any item and to sit quiet and say "*Sallam* Sir, we pass the budget" then what is the good of holding these Council meetings. I do not think, my Lord, that is the experience of public life whether in your country or mine.

I am quite grateful to the Hon'ble Maharajadhiraja of Burdwan for the sympathetic way in which he has received the proposal and as your Excellency must be well aware during your short stay in this country that we Indians are very grateful for a little sympathy, whether it may prove substantial or not and, therefore, I am rather grateful to the Hon'ble Member for the assurance he has given. But, my Lord, I may be permitted to state that to a certain extent I have been justified in my observation that there has been such a long delay in this matter that one cannot help drawing the attention of Government to the urgency of the matter. I forgot to mention that the Corporation has earmarked Rs. 5 lakhs in anticipation of any scheme that may be prepared, but there is one thing in the speech of the Hon'ble Maharajadhiraja Bahadur of Burdwan. He says that the Corporation should prepare the scheme, but I find from Mr. Dunn's report that the Education Department will prepare the scheme, because they are in a better position to do so, and then the scheme will come up to the Corporation for consideration. That was the proposal, and I do not know whether it is now to be left to the Corporation to prepare the scheme.

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

May I explain? What I meant was this, that when the Government sends to the Corporation the proposals made by Mr. Dunn it will no doubt at the same time outline the scheme which Government thinks should be considered by the Corporation and that I think is what the Hon'ble Rai Bahadur Radha Charan Pal is aiming at. No doubt the scheme will be outlined by Government itself and not by the Corporation and it will then be for the Corporation to consider the proposals they receive from Government.

The Hon'ble Rai Radha Charan Pal Bahadur then continued :—

Now I quite follow it. I understand that the report will be forwarded with the proposals of the Director of Public Instruction to the Corporation. I hope, my Lord, that will be soon done, and then, I think, that during the next twelve months perhaps some progress will be made, and having regard to the present state of primary schools in Calcutta, I think, if some provision is made in the budget, there will be a possible chance of expediting the work or rather the education department would be compelled to bring the subject to a practical shape. This is another aspect of my proposal. Further, the Corporation has earmarked Rs. 5 lakhs without any scheme before them, and the amount of Rs. 5 lakhs which I have proposed is only an equivalent sum and nothing more, and if this sum is also set apart for the promotion of primary education in Calcutta, I do not think that will be spent at once, but possibly a certain sum of money will be available for a workable scheme within the next 6 months. It may be said—why should we so earmark Rs. 5 lakhs when the scheme is not before us? But, there is such a thing as transfer from one head to another or savings and utilization of savings. I do not think Government will be hampered in any way. If the amount of Rs. 5 lakhs is set apart and if the whole sum is not spent together with the Corporation money, I think Government will be in a position to transfer the savings to another item they may think fit. This is

important and it will have the effect of urging the Education Department to go on more expeditiously than they have hitherto gone in connection with this matter and that some practical results will ensue within a reasonable time during the next twelve months. I do not know whether I should press this motion, because I quite see the fate of this motion, but I am quite content to leave the matter in the hands of Government. I have done something, that is, I have drawn the attention of the Government and I hope this subject will not be allowed to lie pigeon-holed anywhere. I may be pardoned if I say that Government may be charged with the same charge that the Corporation was charged some years ago—it is, of course, ancient history. Towards the end of seventies a very clever Secretary to Government who was always opposed to the Corporation—I refer to Sir Alexander Mackenzie—in this Council said, "the Corporation is an arsenal of delays and manufactory of speeches." May I not also say that the Government department is an arsenal of delays and manufactory of red-tape. I hope that now that this matter has been brought prominently to your Excellency's notice speedy progress will be made.

The Hon'ble Sir Henry Wheeler said :—

My Lord, there are two points on which there appears to be a misapprehension which I should like to clear up at the close of the debate. The first is with reference to the remarks which have just fallen from the Hon'ble Rai Radha Charan Pal Bahadur, that there will be no harm in reducing the allotment which has been made for the acquisition of land for the nurses' quarters, in so far, as I understand, that land acquisition proceedings ordinarily take time and therefore money to this large extent is not likely to be spent during the ensuing year. I think the Hon'ble Member forgets the fact, which as a member of the Improvement Trust he might have remembered, that we are taking up this land on the frontage of the avenue which has already been acquired by the Trust, and we can pay the Trust for it in one lump-sum by a cheque, a process that should not take an undue time, even in a red-tape Government office.

The second point has reference rather to an incidental issue, and I mention it, especially in the absence of the Hon'ble Mr. Carter, who, if he had been here, would probably have desired to challenge the implication made. I have not the slightest intention of going into the merits or demerits of the comparative subscriptions respectively made by the European or Indian community to the Calcutta Hospital Nurses' Institution, but I gather from the speech of the Hon'ble Rai Debender Chunder Ghose Bahadur that he argues in extenuation of the allegation that adequate Indian help is not forthcoming, that the institution is rather designed to supply private aid to Europeans which is denied to Indians. The facts are not so, and I think it should be made clear that they are not. I have here the report of the Calcutta Hospital Nurses' Institution for the year 1917, and I find that the institution was founded in 1859 chiefly owing to the influence of Lady Canning, wife of the first Viceroy of India. *The main object of the Fund is to train and provide nurses free of charge in the leading Calcutta hospitals*, although it is true that the Lady Canning Home nurses are supplied at moderate charges for private cases. A few *dhais* are also maintained at the Eden Hospital for private work among Indian families. It is hospital nursing which is the main object of the scheme. When we turn to details, we find that in the Presidency General Hospital, as against the hospital staff which numbers 67, there are only 6 Canning Home nurses. Even as regards them it is mentioned in the report that these out-nurses nursed only 110 cases, and that many had to be refused especially in October and November when Canning nurses had to be employed on ward and night superintending duties owing to shortage of the hospital staff from illness and nurses leaving. When we come to the

Rai R. C. Pal Bahadur.

expenditure on the Canning Home nurses we find 3 items totalling Rs. 7,817, against which we have fees from out-cases amounting to Rs. 8,541. Thus it will be seen that these out-nurses are apparently self-supporting. When we come to the Medical College, we find in the Medical College Hospital, Prince of Wales Hospital and Eden Hospital altogether 90 nurses, and no out-nursing staff except *dhais* who are employed in Indian homes. I think, my Lord, it is desirable to correct the misapprehension that the work of the Institution is primarily concerned with private European out-nursing instead of with the hospitals, in which European and Indian patients are nursed alike.

The resolution was then put and lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 19.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that a provision of Re. 1 lakh be made for water-supply and for the general sanitary improvement of the riparian municipalities in the vicinity of Calcutta ; and

(*b*) that the expenditure be met from the allotment of Rs. 33,80,000 for works in progress.

He said :—

My Lord, in moving this motion I have to make one preliminary observation to make it clear. It is a very modest sum of Re. 1 lakh that I have asked for and my object is that that sum may e given to the riparian municipalities by way of subvention for the improvement of water-supply and drainage for those municipalites. Looking to the history of the water-supply to the riparian municipalites I find, my Lord, that the long-thought-of scheme of a combined water-supply has been before the Government for the last twenty years. I do not know where that scheme may be lying now—rather what has become of that scheme. This scheme was brought forward, as far as my memory goes, some twenty years before to enable the riparian municipalities in the vicinity of Calcutta to introduce water-supply in their area. I think it was estimated to cost about Rs. 30 lakhs. But very little attention has been shown to it in this Council. The Hon'ble Sir Syed Shamsul Huda, in the budget debate of 1916-17, in reply to the Hon'ble Babu Surendra Nath Banerjee, who referred to the scheme of water-supply to the riparian municipalites and who said that the municipalities concerned knew nothing whatever as to what was going on, declared that nothing would be done without consulting the municipalities concerned. Again, in the budget debate of 1916-17, we were told that there was a large scheme, known as the riparian water-supply scheme, and that details of that scheme were being worked out and that the report of the Sanitary Board was being awaited. The Bihar and Orissa Government have already established a water-board at Jherria. But here this scheme is being considered and reconsidered over and over again and it has not yet taken any practical shape or effect. I think, my Lord, that something should be done in view of there being so much delay in maturing that scheme to help these neighbouring municipalities to improve their water-supply and drainage and also in view of the fact that the surplus population of Calcutta is moving in that direction. The operations of the

Improvement Trust and the operations of the Calcutta Municipality are displacing a large number of people. Having regard to this fact and also to the fact that there is a pressing necessity of improving the water-supply and drainage of the suburban area, I have moved the resolution.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

My Lord, I wish to make a few observations in this connection. It is a known fact that the supply of filtered water to the riparian municipalities is a great advantage to them who have to reside there. Malaria, cholera, etc., have now been stamped out by the introduction of water-works. If your Excellency refers to municipalities on this side of the river in the vicinity of Calcutta your Excellency will find a desire for filtered water prevailing to a great extent among the people. The matter was brought to the notice of the Government several times and the Sanitary Engineer, I am told, has prepared schemes for a water-supply. But these schemes have not been operated upon and nothing has yet been done. My submission is that early steps should be taken to give effect to these schemes. The hon'ble mover of the resolution has asked for a grant of Re. 1 lakh. I submit it is a very small amount. But whether small or great the question before the Council is that the riparian municipalities should be provided with a supply of filtered water. The question, as my hon'ble friend pointed out, was proposed twenty years ago. Even before that the scheme was considered but nothing definite was done. Some riparian municipalities who have independent means have been able to provide water-supply without the help of Government, but others have been left in the dark. As the question has now come before the Council I think Government should lose no time in giving effect to the scheme. If the scheme is not a general one I submit to your Excellency's Government that they will take the matter up in right earnest. All that I can say from the weight of my limited experience is that if the scheme is to be in operation many diseases will be stamped out and even malaria would cease to exist. My Lord, I think there ought to be a scheme for the supply of filtered water within the jurisdiction of district boards. I myself thought out a plan in this connection and, if the scheme which is now under the consideration of Government, I am sure that the days are not distant when all the villages and towns in Bengal will be supplied with filtered water, and if this is done I am sure that malaria and other diseases will go away for ever. With these words I beg to support the resolution.

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

My Lord, I will not take up much of the time of the Council and that for one reason. I have no exact knowledge of affairs of the riparian municipalities except in the 24-Parganas. I would, therefore, confine myself to one particular point. If these riparian municipalities were to get a supply of filtered water it will not only be of help to the people in those localities, but also a great relief to the residents of Calcutta. At the present moment we have to sell a good portion of our water to these municipalities. It is not a case of voluntary sale, but we are commanded by the Government to do so. Of course we get a price, but it is also a fact that we do not sell the water of our own accord. We have got a great need for water ourselves. My hon'ble friend, Mr. Phelps, may not feel the want of it as he lives in the southern portion of the town, but those who live in the northern division feel the insufficiency of water-supply. That has been a grievance with our people, but I am glad to say that the Chairman of the Corporation and many of the Commissioners are alive to it. It stands to reason that these riparian municipalities on the river Hooghly, or very close to it, should have their own machinery for the supply of filtered water and they should discontinue having filtered water from the

Babu S. N. Ray.

Calcutta Corporation. I do not know whether the grant of Re. 1 lakh will be a substantial help in forwarding this project. Probably the Hon'ble Member has mentioned this sum for the consideration of this Council, showing the necessity of getting the riparian municipalities to combine to have their own water-supply. I beg to support the resolution.

The Hon'ble Babu Surendra Nath Ray said :—

My Lord, I should like to say a few words with reference to this resolution. My hon'ble friend, Rai Radha Charan Pal Bahadur, is probably under a misapprehension when he said that there has been a scheme—a matured scheme—for the last twenty years. A scheme was prepared only about four years ago, and that scheme was matured through the kind exertions of the President of the Sanitary Board—the Hon'ble Mr. Stevenson-Moore ; and by that scheme we wanted to supply all the municipalities from Cossipur-Chitpur up to Kanchrapara—there are about 13 to 14 municipalities—and the original cost of that scheme was estimated to be at least Rs. 35 lakhs, and now it is estimated to cost about Rs. 43 to Rs. 44 lakhs. There was a conference of mill-owners on the east of the river Hooghly as well as some of the leading municipal Commissioners and Chairmen of municipalities and some of the members of the Sanitary Board under the Presidentship of the Commissioner of the Division, Mr. Lang. At first the mill-owners wanted to co-operate with the Government in this riparian scheme, but on account of the war nothing happened. In the meantime the number of mills increased and the mill-owners installed their own machinery ; and in Garulia, Jagadal, Baatpara and in Naihati, the mill-owners set up their own machinery and supplied the people of the locality with their own water. So the original scheme which would have cost about Rs. 35 to Rs. 40 lakhs cannot be given effect to. It is only in municipalities from Cossipur-Chitpur up to Barrackpore that we can give effect to a portion of the scheme. So it is no doubt a fact that we wanted to bring the scheme as early as practicable to the notice of Government, and in fact a draft Bill was ready, but on account of the war nothing could be done. But now it would be impossible to give effect to the original scheme, having regard to the attitude of the mill-owners. Probably it is not a fact known to my friend that most of the municipalities from Garulia up to Naihati are managed by mill-owners, and it is the mill-owners who supply filtered water in many places not only to their own workmen but also to the people of those localities. Even if the scheme be revised and a new scheme be prepared, designed to supply filtered water to the municipalities from Cossipur-Chitpur up to Barrackpore, that scheme would, I think, cost no less than Rs. 35 lakhs, and the grant of Re. 1 lakh to these riparian municipalities would mean a drop in the ocean. Of course, it will be for the Sanitary Board to approach Government with this modified scheme, and now that the war is over it is probable that Government will also be able to help us with some money, and then it will be necessary for us to find out the ways and means. The Calcutta Corporation has always been a very conservative body—at least that has been my experience of the institution. My hon'ble friend told us an ancient history. I have also some ancient history to tell. It is about eighteen years ago that I was Vice-Chairman of the Garden Reach Municipality and a Commissioner of the Calcutta Corporation. The Garden Reach Municipality wanted filtered water very badly. I moved a resolution in the Calcutta Corporation to supply the Garden Reach Municipality with filtered water. But the attitude of the Commissioners was anything but friendly and it was only through the help of the then Chairman, Mr. Bright, that the Garden Reach Municipality was supplied with filtered water, and then a clause was inserted in the Bill of 1899 that some of the municipalities in the neighbourhood of Calcutta would get a supply of filtered water from the Calcutta Corporation—I think it is section 278 of the Calcutta

Municipal Act. That gave power to the Government to order the supply of filtered water to the neighbouring municipalities. Some of the municipalities have already been supplied with filtered water by the Corporation; and they are the South Suburban, Tollygunge and Cossipur-Chitpur municipalities, because these municipalities agreed to take a certain quantity of water. But now on account of filtered water being appreciated by other municipalities, the demand on the Calcutta Corporation is daily increasing, and what is the result? The result is that instead of charging four annas per thousand gallons as they used to charge before, the Calcutta Corporation is now charging six annas, not only for the excess quantity but also for the agreed quantity; I do not suppose that the supply of water of the Calcutta Corporation is unlimited, but still they have got to supply the neighbouring municipalities with water. Therefore, I think, that the Government might consider the desirability of supplying the Calcutta Corporation with new pipes so that these neighbouring municipalities might be supplied with a larger quantity of water and the charge which the Calcutta Corporation is now making be reduced to four annas per thousand gallons as before.

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

My Lord, the Rai Bahadur at first sight appeared to be approaching this subject with a very charitable intention towards these riparian municipalities, but now that he has let the cat out of the bag I gather that the real object is that the Calcutta Corporation should be relieved of the amount of water they have to supply to these riparian municipalities. Hence this resolution. Government have not been idle over this matter. I do not know of any old scheme which perhaps the Rai Bahadur who generally has a weakness for looking up old reports might have come across; we only know of the scheme that was prepared a few years ago by Mr. Williams and regarding which reference has been made by the Hon'ble Babu Surendra Nath Ray. That matter has been before the Sanitary Board and, I believe, it is still before them, and has to be taken up again. The question is this: There are quite a number of these municipalities, regarding which Government have prepared a large water-supply scheme, the cost of which comes up roughly to about Rs. 36 lakhs, and of this, the share of the municipalities concerned is estimated at a little over Rs. 9 lakhs. Of these municipalities two have declined to join—one municipality has said that it cannot afford to take advantage of the scheme. Then, we come to the mill areas to which some reference has already been made by the Hon'ble Babu Surendra Nath Ray. We find that a number of these mills have got their own arrangements for water-supply and are therefore strongly opposed, because they fear that water-tax will be levied on them in spite of their having their own water-supply. We have thoroughly gone into the question, but so far have been unable to meet the mill-owners so we have again referred the matter to the Sanitary Board whose views are awaited. That being the case, I think it must be apparent to the Hon'ble Members present here that to ask to provide Re. 1 lakh, when there is no definite scheme before us and when no particular municipality has been specified, would be not only futile, but, if I may say so, absurd. That being so, my Lord, I do not think that any case has been made out for which the Government should make a provision of Re. 1 lakh for the improvement of water-supply to the riparian municipalities, and I cannot, therefore, recommend to Government the acceptance of this resolution.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

My Lord, I have listened to the observations made by the Hon'ble Maharajadhiraja Bahadur of Burdwan. He thinks that the cat is out of the

Rai R. C. Pal Bahadur.

bag because the Corporation wanted to be relieved of the obligation for the supply of water to the neighbouring municipalities. I think, my Lord, that was not letting the cat out of the bag, because it is well known that the Corporation desire to be relieved of the obligation and that, although they are willing so far as practicable to help the neighbouring municipalities with their limited resources, they think that we must press the Government to bring the scheme to a head. Of course I do not want to quarrel about the age of the scheme. I would not care how many schemes have been superseded or not. The question is one of combining these municipalities into one for the purpose of promoting a water-supply scheme as was proposed in 1878. If my hon'ble friend would look into the proceedings of the Legislative Council of the year 1878, he will find that the scheme was proposed in Sir Ashley Eden's time. This subject is as old as 1878 and probably older. I distinctly remember, and I am speaking from my memory that the scheme was started in Sir Ashley Eden's time when the Hon'ble Mr. Mackenzie was the Municipal Secretary, and the Government insisted on the Calcutta Municipality supplying water to the neighbouring municipalities. Though the Corporation are supplying water their resource is limited. I know, of course, that Re. 1 lakh is merely a drop in the ocean considering their needs. I have explained that I have suggested that amount only to bring the matter to the attention of Government who may see the necessity of doing something to provide riparian municipalities with an efficient water-supply. That is the reason that I have mentioned this sum.

The resolution was then put and lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 22.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that a grant of Re. 1 lakh be made in favour of District Boards and Municipal Charitable Dispensaries for the introduction of the Ayurvedic system of medicine, and

(*b*) that the amount be met from—

(*i*) the provision of Rs. 15,000 for the Press Censor under the general administration charges, and

(*ii*) the balance from the general reserve of Rs. 2 lakhs for unforeseen charges under 32—Miscellaneous.

He said :—

My Lord, with reference to this motion, I understand that some of the municipalities and district boards are inclined to take up this matter themselves, so there is no need for me to move this resolution. They have expressed a very laudable desire, but I do not know how far the desire will be fulfilled. But I should like to wait and see the result. But I think the sum of Rs. 45,000 for the provision of the Press Censor may be utilized otherwise, as I understand the Press Censorship has been abolished, and there is no need for this sum now.

Sir. Henry Wheeler.

The Hon'ble Sir Henry Wheeler said :—

I may remind the Hon'ble Member that this sum has already been allotted on the resolution of the Hon'ble Babu Ambika Charan Mazumdar.

The resolution was then, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned to Thursday, the 27th March, 1919, at 11 A.M., at Government House, Calcutta.

A. M. HUTCHISON,
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (offg.).

CALCUTTA,
The 15th April 1919.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Thursday, the 27th March, 1919, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E., C.B.E.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHARWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble MR. ALTAF ALI.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

(UNSTARRED QUESTIONS.)

(Answers to which were laid on the table).

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

Will the Government be pleased to make a statement showing the industries that have been started in the Presidency since the outbreak of the war for the manufacture of goods of which Germany was the sole or chief importer? Industrie started i Bengal s the outb of the w

Answer by the Hon'ble Mr. Donald:—

"The Hon'ble Member is referred to the answer to his question No. LXVIII put on the 3rd July, 1918."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

2.

(*a*) With reference to the recommendations made by the Board of Agriculture at the meeting held in December, 1917, at Poona, will the Government be pleased to state what action has been taken in pursuance thereof? Action o recomme of the B Agricultu

(*b*) Is it a fact that at the said meeting the Board specially recommended the early establishment, as an experimental measure, of a limited number of vernacular agricultural middle schools in the provinces?

(*c*) If so, what steps have the Government taken in this direction?

(*d*) Are the Government aware that four such schools have been started in the Bombay Presidency, and that the official reports state that they have been very popular and that there are demands for the opening of more such schools from many quarters in the Presidency of Bombay?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The following action has been taken by this Government on the recommendations made by the Board of Agriculture at their meeting held at Poona in December, 1917:—

Subject.	Action taken.
Subject VIII—Veterinary education.	It has been decided to improve the prospects of the Veterinary Assistants and to raise their pay from Rs. 30—$\frac{1}{5}$—70 to Rs. 50—$\frac{1}{5}$—100 a month with effect from 1st April, 1919.
Subject IX—Manure	Steps have been taken to encourage the use of manures of proved suitability, such as bonemeal and the like, by the advance of loans under the Agriculturists' Loans Act to cultivators for the purchase thereof.
Subject XII—Co-operation between District Boards and the Agricultural Department.	Measures have been adopted for enlisting the interest of District Boards in agricultural work by co-operation in payment for the establishment and maintenance, and in the management of agricultural farms at the headquarters of districts.

Subject.	Action taken.
Subject XII—The best means of bringing improved methods of agriculture to the notice of cultivators.	The report of the sub-committee appointed to consider this question, which was adopted by the Board of Agriculture, has been commended to the attention of all District Boards and District Agricultural Associations.
Subject XVII—Agricultural education.	The Hon'ble Member is referred to the answer given to question (*c*) below.

Some of the subjects are still under the consideration of the Government of India, and their orders are awaited.

(*b*) The answer is in the affirmative.

(*c*) The Government of India have sanctioned a grant of Rs. 1,80,000 for expenditure on agricultural education in this Presidency. It has been decided to utilise this amount by the establishment of two agricultural middle schools—one at Dacca and the other at Chinsura. A scheme has been prepared, and steps have been taken for the construction of the buildings.

(*d*) The answer is in the affirmative."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Bengali tudents of, nd Government ontribution owards, the abour gricultural ollege.

Will the Government be pleased to make a statement—

(*a*) showing, year by year, the total number of Bengali students in the Sabour Agricultural College and the ratio they form of the total number of students in the College; and

(*b*) showing the contributions made by the Government of Bengal towards the upkeep of the institution since its establishment?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) A statement is laid on the table furnishing the information required.

(*b*) The College was designed to serve the needs of both the provinces of Bengal and Bihar as at present constituted: and before the redistribution of territories on the 1st April, 1912, the cost of maintenance was borne entirely by the Government of Bengal as then constituted. Since then, the institution has been maintained by the Government of Bihar and Orissa, and no contribution has been made by the Government of the Bengal Presidency."

Statement referred to in the answer by the HON'BLE MR. MCALPIN *to question No. 3 (Unstarred) asked by the* HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 27th March, 1919, showing, year by year, the number of Bengali students in the Sabour Agricultural College and their ratio to the total number of students in the College.*

Year.	Total number of students in the College.	Number of Bengali students	Ratio per cent.
1910-11	18	13	72
1911-12	29	21	72
1912-13	27	21	78
1913-14	17	11	65
1914-15	20	13	65
1915-16	35	20	57
1916-17	35	17	49
1917-18	Not known	17	...

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

4.

Are the Government aware of the grievances of the public who travel on the Mymensingh-Bhairab Railway arising out of an excessive rate of fare, and the want of a regular provision of inter-class carriages, particularly for ladies, in most of the trains running on this line?

Grievances of the public travelling on the Mymensingh Bhairab Railway.

Answer by the Hon'ble Mr. Cowley:—

" The Hon'ble Member in the first part of his question probably alludes to the question relating to the subject of fares and pontage charge over the Mymensingh-Bhairab Bazar Railway asked by the Hon'ble Rai Sri Nath Ray Bahadur at the Council Meeting held on 20th November, 1917. The Hon'ble Member is referred to the reply given on that occasion.

In regard to the second part of the question Government are aware that the Coaching stock of the Assam-Bengal Railway at present available is inadequate to provide fully for the requirements of the travelling public. The situation has been created by the war. The Railway authorities report that additional stock is expected during the coming financial year but it will be some time before the stock of the line will be sufficient to meet all requirements."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5.

(*a*) Is it a fact that economic distress has been caused by the rise in the prices of food-stuffs?

Economic distress caused by the abnormal prices of food-stuffs.

(*b*) If so, will the Government be pleased to state whether there is any likelihood of the prices going down in the near future, particularly in so far as rice, kerosine oil and cloths are concerned?

Answer by the Hon'ble Mr. Donald:—

" The Hon'ble Member is referred to the Hon'ble Sir Henry Wheeler's speech on this question at the meeting of this Council on the 18th and 19th, February. It is difficult to forecast the future in the matter of prices as so many factors are involved, including supplies, monsoon and labour conditions, freight and tonnage. These factors are more than local and concern the world generally. It is thus impossible to prophesy as to the future trend of prices one way or the other."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

Will the Government be pleased to make a statement showing, district by district, the progress of literacy among the rural population in the Government estates in the Dacca division, and the steps taken for agricultural improvement in the aforesaid areas, in 1916-17 and 1917-18?

Progress of literacy and agricultural improvement in the Government estates in the Dacca division.

Answer by the Hon'ble Mr. McAlpin:—

" A sum amounting to 1 per cent. of the gross collections in Government estates is annually spent on education in Government estates, distribution being made by the Education Department. Government have no special information regarding the spread of literacy in such areas in the Dacca division.

During the years 1916-17 and 1917-18 sums of Rs. 7,000 and Rs. 15,000 were allotted by the Board for agricultural and sanitary improvements in Government estates of the Dacca division, excluding the Sundarbans; these sums are distributed by the Commissioner between different districts ''

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

Management charges of the estates under the Court of Wards.

Will the Government be pleased to make a statement showing, for the last five years, the management charges of the estates under the Court of Wards, explaining, in each instance, the causes responsible for exceeding the standard of 10 *per cent?*

Answer by the Hon'ble Mr. McAlpin:—

" The Hon'ble Member is referred to columns 10 and 11 of Appendix II of the Annual Reports on the administration of Wards', Attached and Trust Estates in the Presidency of Bengal for the years 1913-14, 1914-15, 1915-16, 1916-17 and 1917-18, which show the management charges of the estates under Court of Wards and the percentage of such charges on the current rent and cess demand; and to paragraph 10 of the Reports which give the causes responsible for the excess over the standard of 10 *per cent.* so far as available."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

8.

Mortality of infants under one year in Bengal.

(*a*) Will the Government be pleased to state the number of deaths of infants under one year in Bengal in 1917-18?

(*b*) Is it a fact that infantile mortality is high? If so, are the Government considering the desirability of instructing the Sanitary Commissioner, Bengal, to draw up a scheme for its prevention?

(*c*) If any such scheme has already been submitted, what action, if any, has been taken to carry out the suggestions contained therein?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) The number of deaths in 1917-18 was 308,537.

(*b*) and (*c*) Infantile mortality is undoubtedly high in Bengal. No scheme for the prevention of infantile mortality has yet been prepared, and, as stated in the reply given to question No XII asked by the Hon'ble Raja Mahendra Ranjan Ray Chaudhuri at the meeting of the Council held on 6th March, 1916, the causes responsible for the high proportion of infantile deaths are so inextricably bound up with the domestic life and social customs of the people that they cannot be eradicated by any special action on the part of Government. As stated, however, in the reply to question No. 20 by the Hon'ble Sir Nilratan Sarkar, Government intend to take up the question of child welfare, with special reference to infant mortality, and to consider what measures can be taken to reduce the present high death rate among infants."

y the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

9.

(*a*) Are the Government aware of the particulars of a comprehensive heme of agricultural education recently adopted by the Punjab Govern- ient? Scheme of agricultural education in Bengal.

(*b*) Is any similar scheme under the consideration of the Government of engal?

nswer by the Hon'ble Mr. McAlpin:—

" (*a*) The answer is in the affirmative.

(*b*) The Hon'ble Member is referred to the answer given to question 2 (*c*) sked by him."

y the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10.

(*a*) Has the attention of Government been drawn to certain resolutions ecently adopted by the District Board of Dacca regarding the question of com- unications in that district and the desirability of opening railways through ertain localities? Dacca District Board resolution regarding communications in that district.

(*b*) If so, what action, if any, do Government propose taking in the atter?

nswer by the Hon'ble Mr. O'Malley:—

" (*a*) The attention of Government has been drawn to the resolutions in uestion.

(*b*) No proposals from the District Board have yet been received by Gov- rnment."

y the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

11.

(*a*) Is there any truth in the statement that the High Court has suggested he desirability of making certain rules by which all petitions, plaints, written tatements, etc., in the *mufassal* courts, will be required to be made only in the nglish language? Alleged suggestion by the High Court as to petitions, plaints, etc., in *mufassal* courts being only in English.

(*b*) If so, are the Government aware—

(*i*) that there is a strong feeling of opposition to this suggested innovation; and

(*ii*) that it is likely to cause great hardship to the legal profession and the litigant public.

nswer by the Hon'ble Mr. Duval:—

"(*a*) The High Court has issued a general letter to District and Sessions udges asking their opinion as to the possibility of declaring English the ourt language in civil and criminal cases for certain classes of cases.

(*b*) (*i*) and (*ii*) Government have so far no information in the matter."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

12.

Training of Indian boys in railway workshops.

With reference to the recent resolution of the Government of Bengal regarding the training of Indian boys in railway workshops, will the Government be pleased to state the purport of the opinions of the Agents of the East Indian, Bengal-Nagpur and Eastern Bengal Railways, respectively, on the proposals contained in the said resolution?

Answer by the Hon'ble Mr. O'Malley:—

"Copies of the Agents' letters on the subject are laid on the library table."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

13.

Information *re* appointment of a Secretary to the Madaripur Central Bank.

With reference to the reply to my unstarred question No. 25 asked on the 5th March 1919, will the Government be pleased to furnish the information asked for by giving a reply either in the affirmative or in the negative?

Answer by the Hon'ble Mr. McAlpin:—

"Government have nothing to add to the answer already given, and do not propose to make any other inquiries in the matter."

By the Hon'ble Babu Siv Narayan Mukharji:—

14.

Measures taken by district boards for providing pure water-supply.

(*a*) Will the Government be pleased to state, sub-division by sub-division, of the several districts of the Presidency, how many tanks were excavated by each of the district boards and what action has been taken by them in regard to the measures for providing pure water-supply in the interior of the rural area as directed in the Government resolution No. 1518 L.S.-G., dated the 11th November, 1912?

(*b*) Will the Government be pleased to state how many union committees have at present been formed in the districts of West Bengal and what amount has been annually placed at their disposal out of the funds of the district boards to increase the number of tanks in rural areas?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) A statement is laid on the table. In accordance with the orders conveyed in the resolution referred to, a survey of the existing sources of water-supply has been made and registers prepared by District Boards.

(*b*) A statement is laid on the table."

Statement referred to in the answer by the HON'BLE MR. O'MALLEY *to question No. 14 (Unstarred) asked by the* HON'BLE BABU SIV NARAIN MUKHARJI *at the Council meeting of the 27th March, 1919, showing the number of tanks excavated or re-excavated by district boards during the five years 1913-14 to 1917-18.*

District Boards.	Locality where excavated or re-excavated	Number of tanks excavated or re-excavated.	Remarks.
Burdwan ...	Sadar ...	18	The board also sank 183 masonry wells.
	Asansol ...	...	
	Katwa ...		
	Kalna ...	...	
Birbhum ...	Sadar ..	8	
	Rampur Hât		
Bankura ...	Sadar ...	4	These tanks were excavated at the expense of Government during the last famine relief operations; 69 wells were also constructed in the district.
	Vishnupur	...	
Midnapore ...	Sadar ...	16	117 wells were also constructed.
	Tamluk ...	14	
	Contai ...	21	
	Ghatal ...	15	
Hooghly ...	Sadar ...	9	
	Serampore ...	3	
	Arambagh ...	11	
Howrah ...	Sadar ...	6	Besides these tanks the board sunk 9 tube wells during the quinquennium.
	Uluberia ...	16	
24-Parganas ...	Sadar ...	5	
	Diamond Harbour.	4	
	Baraset ...	7	
	Basirhat ...	8	
	Barrackpore	9	
Nadia ...	Sadar ...	...	No tanks were excavated by the district board, but contributions were made for the re-excavation of 5 private tanks; 133 masonry wells were constructed during the quinquennium.
	Chuadanga	...	
	Kushtia ...	...	
	Meherpur ...	...	
	Ranaghat ...	...	
Murshidabad ...	Sadar ...	7	Besides the tanks, 104 wells were constructed.
	Kandi ...	10	
	Jangipur ...	3	
	Lalbagh ...	2	
Jessore ...	Sadar ...	15	
	Bangaon ...	3	
	Narail ...	11	
	Magura ...	11	
	Jhenidah ...	5	
Khulna ...	Sadar ...	24	
	Bagerhat ...	43	
	Satkhira ...	23	

District Boards.	Locality where excavated or re-excavated	Number of tanks excavated or re-excavated.	Remarks.
Dacca	Sadar ...	11	Besides these tanks 492 wells were constructed by the district board.
	Narayanganj	...	
	Munshiganj	20	
	Manikganj ...	2	
Mymensingh ...	Sadar ...	2	Besides these tanks 237 masonry wells, 32 tiled wells and 62 ring wells were constructed.
	Tangail ...	2	
	Kishoreganj	7	
	Jamalpur ...	2	
	Netrakona ...	5	
Faridpur ...	Sadar ...	10	
	Madaripur ...	7	
	Gopalganj ..	3	
	Goalundo ...	24	
Bakarganj ...	Sadar ...	14	Of the 61 tanks 5 tanks were excavated in the khas mahal area to which the board contributed. The district board also contributed towards the excavation of 36 tanks in the colonization area in the Sundarbans of the Bakarganj district.
	Perojpur ...	20	
	Patuakhali ...	17	
	Bhola ...	10	
Chittagong ...	Sadar ...	218	
	Cox's Bazar	10	
Tippera ...	Comilla ...	42	
	Brahmanbaria.	55	
	Chandpur ...	37	
Noakhali ...	Sadar ...	192	
	Feni ...	23	
Rajshahi ...	Sadar ...	38	Besides these tanks 37 wells were sunk.
	Nator ...	22	
	Naogaon ...	20	
Dinajpur ...	Sadar ...	4	In addition to these tanks 159 masonry wells were sunk.
	Balurghat ...	2	
	Thakurgaon	...	
Jalpaiguri ...	Sadar ...	1	201 wells were also constructed, some of which are masonry wells.
	Alipur ...	...	
Rangpur ...	Sadar ...	4	Besides these tanks 243 masonry and drain-pipe wells were constructed.
	Gaibandha ...	5	
Pabna ...	Pabna ...	4	114 masonry wells were also constructed.
	Serajganj ...	2	
Bogra ...	Sadar ...	6	85 masonry wells were also constructed.
Malda ...	Sadar . .	21	

Statement referred to in the answer by the HON'BLE MR. O'MALLEY *to question No. 14 (Unstarred) asked by the* HON'BLE BABU SIV NARAYAN MUKHARJI *at the Council meeting of the 27th March, 1919, showing the number of union committees in the districts of West Bengal and the allotments made to them for increasing the number of tanks in rural areas.*

District	Number of Union Committees.	Remarks
Burdwan	7	Each committee gets Rs. 500 from the district board for sanitation including water-supply.
Birbhum	21	No allotment has been made to the union committees for increasing the number of tanks in rural areas.
Bankura	4	
Midnapore ...	5	No allotments were made during the years 1916-17 and 1917-18 to the union committees as the execution of original works of water-supply was transferred to the District Engineer.
Hooghly ...	15	Of the sum placed at the disposal of each of the union committees Rs. 500 is required to be spent on the improvement of water-supply.
Howrah ...	5	No allotment has been specifically made for the excavation of tanks.
24-Parganas ...	16	The union committees are not provided with funds for the excavation of tanks as the execution of original works of water-supply is under the direct supervision of the District Engineer.
Nadia ...	8	No separate grant is made to the union committees for the excavation of tanks.
Murshidabad ...	25	
Jessore	15	
	11+1	
Khulna	34	

By the Hon'ble Babu Siv Narayan Mukharji:—

15.

Excavation of drinking-water tanks by certa district boards

(*a*) Are the Government aware that the district boards of the 24-Parganas, Jessore and Murshidabad, with non-official chairmen, have embarked on an elaborate programme of drinking-water tanks in rural areas within their respective jurisdiction? If so, will the Government be pleased to state what is the guiding policy involved in these measures?

(*b*) Are the people of the areas where these tanks are excavated required to supplement the expenditure incurred by the district boards? If so, in what proportion?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) and (*b*) Copies of reports on the subject from the chairmen of the district boards of the 24-Parganas, Jessore and Murshidabad, are laid on the library table."

By the Hon'ble Babu Siv Narayan Mukharji:—

16.

Non-excavation of drinking-water tanks by certain district boards.

Are the Government aware that the district boards of Burdwan, Hooghly and Howrah have not so far taken any steps in the matter of drinking-water tanks in the rural areas, and especially in the portions within the spill area of the Damodar basin? If so, are the Government considering the desirability of directing those district boards to devote a substantial portion out of the Public Works cess for the improvement of water-supply, especially in the area affected by the Damodar spill?

Answer by the Hon'ble Mr. O'Malley:—

"From the statement laid on the table it will be seen that the assumption of the Hon'ble Member is not correct."

Statement referred to in the answer by the HON'BLE MR. O'MALLEY *to question No. 16 (Unstarred) asked by the* HON'BLE BABU SIV NARAYAN MUKHARJI *at the Council meeting of the 27th March, 1919, showing the number of tanks excavated or re-excavated by the District Boards of Burdwan, Hooghly and Howrah during the quinquennium ending 1918-19.*

District Board.	Number of tanks excavated or re-excavated.	Number of tanks within the spill area of the Damodar basin.	REMARKS.
1	2	3	4
Burdwan ...	22	1	Four tanks are under construction, one of which is within the spill arear of the Damodar basin.
Hooghly ...	23	11	The figure in column 3 is for the Arambagh sub-division in which the spill area of the Damodar basin lies.
Howrah ...	22	6	

By the Hon'ble Khan Sahib Aman Ali:—

17.

Promotion of clerks in the grades up to Rs. 50.

(*a*) Are the Government aware that under paragraphs 62 and 170 of the Report of the ministerial officers' committee of Eastern Bengal and Assam, 1908-09, which were adopted by the late Eastern Bengal and Assam Government in its Circular No. 1738-86 F., dated 27th March, 1911 [Appendix B, paragraph 2 (*5*)], promotions of clerks in the grades up to Rs. 50 should ordinarily go by seniority and no one should be superseded except on account of his own demerits?

(*b*) Is the circular in question in force in the whole of the present Presidency of Bengal?

Answer by the Hon'ble Mr. Duval:—

" (*a*) Yes.

(*b*) No; the circular is in force only in the Dacca, Rajshahi and Chittagong divisions "

By the Hon'ble Khan Sahib Aman Ali:—

18.

(*1*) Are the Government aware—

(*a*) that the present District Judge of Chittagong has promoted some junior clerks of his office to the grades of Rs. 40 and Rs. 50 by superseding a number of senior officers having good records of service; and

Promotion o some junior clerks of the office of the District Jud of Chittagor in supersessi of their seni

(*b*) that in one case he promoted a very junior officer of about two years' standing in the grade of Rs. 30 direct to the grade of Rs 50 in supersession of the claims of senior clerks in the grades of Rs 30 and Rs. 40?

(*2*) Will the Government be pleased to state—

(*i*) whether similar instances of promotions have occurred in any other judicial offices in Eastern Bengal; and

(*ii*) if so, whether Government are considering the desirability of taking steps, as suggested in paragraph 171 of the Report of the ministerial officers' committee of Eastern Bengal and Assam, 1908-09, to amend section 30 of the Bengal, Agra and Assam Civil Courts Act, 1887, so as to subject the District Judges' power of appointment to the control of the Local Government?

Answer by the Hon'ble Mr. Duval:—

" (1) (*a*) and (*b*) No.

(2) (*i*) Government have no information in the matter.

(2) (*ii*) The question does not arise "

By the Hon'ble Kumar Shib Shekhareswar Ray:—

19.

(*a*) Will the Government be pleased to state whether any memorial has been submitted to Government by the zamindars of the Rajshahi district on the subject of the postponement of the recovery of settlement costs?

Memorial of Rajshahi zamindars re postponemen of recovery of settlement costs?

(*b*) If so, will the Government be pleased to lay on the table a copy of the memorial, together with a list of the signatories thereto?

(*c*) Will the Government be also pleased to state what action, if any, they propose to take in the matter?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) Yes.

(*b*) A copy is laid on the table with a list of the signatories thereto.

(*c*) The prayer of the memorialists is, that in consequence of the damage done by the severe floods in Rajshahi, last year, the realisation of settlement costs from proprietors and tenure-holders should be postponed. A report has been received by Government on the memorial. Out of the 24 memorialists only eight have any settlement costs still to pay for property in Rajshahi. Of these eight, four own no property in badly affected areas By the other four payments have already been made aggregating 83, 87, 83 and 94 per cent., respectively, of the amounts due by them; the highest percentage has been paid by the proprietors of the estate most affected. Moreover, most of the tenure-holders as well as *raiyats* have paid their costs in the thanas affected by the floods.

Regarding the allegation in the memorial that the situation of the memorialists has been aggravated by the strict realisation of the settlement costs from their tenants, it may be mentioned that last September, just after the floods, orders were issued by Government to suspend recovery in certain of the flooded areas, but on the representation of certain tenants who preferred to pay at that season rather than later, it was continued on the understanding that no pressure or coercive measures for enforcing payment should be used in the case of persons whose crops or houses had been destroyed by the floods

In all these circumstances Government are of opinion that no general action is required on this memorial The Settlement Officer has discretion, on the receipt of representations regarding individual cases of hardship, either to allow instalments of payment or to defer the issue of coercive process under the Certificate Act."

Memorial referred to in the answer by the HON'BLE MR. MCALPIN *to question No. 19 (Unstarred) asked by the* HON'BLE KUMAR SHIB SHEKHARESWAR RAY *at the Council meeting of the 27th March, 1919.*

To

His Excellency The Right Hon'ble Lawrence John Lumley Dundas, Earl of Ronaldshay, G.C.I.E., Governor of the Presidency of Bengal.

The humble memorial of the undersigned Landholders of the district of Rajshahi

MOST RESPECTFULLY SHEWETH,

THAT the estates belonging to your humble memorialists have been affected very severely by the recent unprecedented floods in the Rajshahi district,

THAT, in consequence, your Excellency's humble memorialists are unable to realize rents and other dues from their tenantry, and considering the distressed condition of the tenants, Your Excellency's memorialists find it extremely hard to press for their demands or execute existing decrees till the next harvest,

THAT the situation has been further aggravated by the strict realization of the settlement recovery costs from the tenants,

THAT for the reasons stated above, the collection of rents and dues of the undersigned memorialists has fallen off so considerably that they find it very difficult to meet the current demands of Government revenue and their own domestic and establishment charges,

THAT the present distress of Your Excellency's memorialists has been greatly enhanced by their being called upon to pay large settlement recovery costs, which it is practically impossible for them to pay without incurring debts at a very high rate of interest,

THAT, in conclusion, Your Excellency's memorialists beg to pray that Your Excellency be pleased to direct that any further realization of settlement

recovery costs from the owners of estates and permanent tenures, be postponed till the harvesting of the next jute crops in August, 1919, or take such other steps which Your Excellency may deem fit and proper,

For which act of kindness and generosity Your Excellency's humble memorialists, as in duty bound, shall ever pray.

JAGADINDRA NATH ROY of Nator.
PROMADA NATH ROY of Dighapatia.
SHIB SHEKHARESWAR RAY of Tahirpur.
BIMALENDU ROY of Balihar.
M. ASHRAFALI of Nator.
GHANODA NATH ROY CHAUDHURI of Dubalhati.
KRINKARI NATH ROY CHAUDHURI of Dubalhati.
ALTAF ALI of Bogra.
NARESH NARAYAN ROY.
BHABA PRASADJIBAN CHOUDHURI of Puttia.
RADHIKA PRASAD ROY of Amhaty.
JNANADA PRASAD SUKUL of Nator.
DURGA GOBINDA CHAUDHURI of Bhabni.
MD. ERSHAD ALI KHAN CHAUDHURI of Nator.
MD. ROMSHAN KHAN CHAUDHURI of Nator.
KULADA MOHAN MAITRA of Kalan.
CHANDRA NATH PRAMANIK of Nator.
JOGENDRA NATH ROY CHAUDHURI of Dharail.
CHUNDER NATH MAZUMDAR of Gobindopore.
MOHESH CHANDRA MANI of Gobindopore.
NALINI KANTA CHAUDHURI, B.L., of Nator.
BHABANI PRASAD ROY, Executor to the estate of late Raja Jogendra Nath Roy Bahadur, Nator Raj, Junior Branch.
KSHIRODE CHANDRA ROY of Mainam.
SARADA PRASAD ROY of Amhaty.

CALCUTTA ;
The 6th January, 1919.

By the Hon'ble Sir Nilratan Sarkar:—

20.

(*a*) Will the Government be pleased to state whether they have taken any action with regard to any scheme in connection with child welfare? Scheme regarding child welfare

(*b*) Are the Government considering the desirability of making any arrangement for the dissemination of knowledge regarding child welfare?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) and (*b*). The Hon'ble Member is probably aware of the work of the maternity and baby welfare section of the Health Department of the Calcutta Corporation. Work of this nature is not, so far as Government are aware, carried out in other municipalities. In November 1917 the Sanitary Commissioner circularized the Chairmen of all municipalities and District Boards and suggested that local authorities should take steps to arouse public interest in the conditions producing high infantile mortality and should organize baby shows for this purpose. A baby show was held in Howrah in August 1918 and in a circular of 20th January, 1919, of which a copy is laid on the table, the Sanitary Commissioner urged Chairmen of District Boards and municipalities to organize similar shows.

No general scheme of child welfare has been elaborated, but Government propose to take up the question with special reference to infant mortality."

Circular referred to in the answer by the HON'BLE MR. O'MALLEY *to question No. 20 (Unstarred) asked by the* HON'BLE SIR NILRATAN SARKAR *at the Council meeting of the 27th March, 1919.*

OFFICE OF THE SANITARY COMMISSIONER FOR BENGAL.

Dated Calcutta, the 20th January 1919.

From—DR. C. A. BENTLEY, M.B., D.P.H., D.T.M. & H., Sanitary Commissioner for Bengal,

To—The Chairman of District Board and Municipality.

IN continuation of this office circular letter No. 14736-14876, dated the 19th November, 1917, I have the honour to enclose a copy of the proceedings of the sub-committee appointed to organize a "Baby Show" in Howrah, dated the 1st November last. It is requested that you will be so good as to organize a similar show in your jurisdiction.

Proceedings of the Sub-Committee appointed to organize a Baby Show in Howrah, dated the 1st November, 1918.

PRESENT:

(1) BABU NITYA DHON MUKHARJI, *President.*
(2) MILLAR M. KING, ESQ.
(3) BABU CHARU CHANDRA SINHA, M.A., B.L.

Resolved—That the report of Mrs. King, the President of the committee of ladies, be adopted and sent to the Chairman, Howrah Municipality, for placing before the Commissioners at a meeting.

NITYA DHON MUKHARJI,
President.

The 1st November, 1918.

Report about the Baby Show held on the 25th August, 1918.

A COMMITTEE of ladies, with myself as its President, was formed at the request of the committee appointed by the Municipal Commissioners to organize a Baby Show. There were in all six meetings of that committee. Three meetings were held in my house, and the other three in the room of the Vice-Chairman of the Municipality who also attended the meetings and rendered very valuable assistance in organizing the show.

The show was held at 4 P.M. on the 25th of August last in the hall of the Ripon Collegiate School which was selected by the committee after a local inspection of the building. It was advertised by publication of notices in the local newspapers, by the distribution of hand-bills printed in Bengali, Hindi, Urdu and English, and also by beat of drums. Special letters with a copy of English notices were also sent to the residents of the town, intimating that strict *purdah* will be observed and requesting their attendance. It was also advertised that on the receipt of previous intimation conveyance will be arranged for bringing respectable Indian ladies and children from their houses and taking them back.

The services of three cars were placed at the disposal of the committee for the above purpose and several carriages were also hired.

All classes of people were invited and strict *purdah* was observed. Children of less than five years were allowed to compete. For the purpose of location and distribution of prizes two separate divisions were made for two classes of people, viz., one for the ladies and children of respectable families and the other for lower classes.

The expenses in connection with the show were met by donations paid by several gentlemen and certain firms, the major portion of which was paid by Mr. M. King and his firm.

The following prizes were given :—

I. Ten special prizes which consisted of toys were awarded to children belonging to the better class of society.

II. The prizes for children belonging to the poorer or lower class of society were divided into two classes :—

(1) The First Class prizes which were three in number consisted of Rs. 10 in cash and a *sari* which were given to the mothers of the babies winning the prizes.

(2) The Second Class prizes which were seven in number consisted of Rs. 5 in cash and a *sari* which were given to the mothers of the babies winning the prizes.

Besides the prizes mentioned above, there were about 100 consolation prizes for each class of children attending the show.

The attendance was beyond our expectation. It was more than 700 in number, about 300 of whom came from the better class of people and 400 from the lower class.

Besides children several *purdah* ladies attended the show and special care was taken for their comfort. *Pans* were distributed, there was arrangement for drinking water and sweetmeats were distributed amongst all class of children.

There was a special prize consisting of a nice *shawl* given to the healthiest and cleanest baby among the lower class of people attending the show.

Out of the lady members, the President, Mrs. Waters, Mrs. Millar, and Mrs. Steen were selected as judges to decide to whom the prizes should be given.

Miss Chaudhuri and Miss Anthony then delivered lectures on simple diseases amongst the children and impressed on them the importance of taking early measures to arrest the progress of those diseases.

The children were then examined by the Committee of Judges and prizes, as stated above, were distributed to the deserving babies and children.

At the request of the committee the Civil Surgeon very kindly allowed some nurses from the hospital to be present at the show, and to arrange and help the distribution of prizes.

The school building was nicely decorated on the day of the show.

L. KING,

President.

The 25th August, 1918.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

21.

Supervision and staff of the Bengal Secretariat record room.

(*a*) Will the Government be pleased to state who is the lowest gazetted officer responsible for the supervision of the Bengal Secretariat record room?

(*b*) Does the clerical staff employed in the said record room and that employed in its administrative department belong to the same establishment or to different establishments?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) The Under-Secretary in the Political Department is the lowest gazetted officer responsible for the supervision of the Bengal Secretariat record room.

(*b*) The clerical staff employed in the record room and that employed in the administrative department (Political) belong to separate establishments."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

22.

Supervision and staff of the Bengal Secretariat Book Depôt.

(*a*) Will the Government be pleased to state who is the lowest gazetted officer responsible for the supervision of the Bengal Secretariat Book Depôt?

(*b*) Does the clerical staff employed in the said Book Depôt and that employed in its administrative department belong to the same establishment or to different establishments?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) The Bengal Secretariat Book Depôt is subordinate to the Legislative Department of the Secretariat. It is under the administrative control of the Assistant Secretary of that Department and is under the supervision of the Registrar of that Department in matters of discipline and routine.

(*b*) The ministerial establishment of the Book Depôt is distinct from that of the Legislative Department."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

23.

Grant of extensions of service in the Education Department

(*a*) Will the Government be pleased to state whether extensions of service are being granted to the ministerial officers in the Education Department?

(*b*) Is it a fact that there has been a serious block in promotion in the office of the Director of Public Instruction, Bengal?

(*c*) Is it also a fact that extensions of service are being refused as a rule to the officers of the Education Department, namely, teachers, lecturers, etc.?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) Yes. Extensions of service are given to ministerial officers in accordance with clause (*a*) of article 459, Civil Service Regulations, of which a copy is laid on the table.

(*b*) The answer is in the negative.

(*c*) Yes. Extensions of service in these cases are refused in accordance with article 459, Civil Service Regulations."

Article 459 of the Civil Service Regulations, referred to in the answer by the HON'BLE MR. O'MALLEY *to question No. 23 (Unstarred) asked by the* HON'BLE RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 27th March, 1919.*

459. (*a*) Ministerial officers who have attained the age of 55 may be required to retire, but should ordinarily be retained in service so long as they remain efficient until they come under the provisions of clause (*e*).

(*b*) Officers, other than ministerial, who have attained the age of 55 should ordinarily be required to retire, and should not be retained in service except where unquestionable public grounds for retention exist, and there is no doubt as to the physical fitness of the officer.

(*c*) Each officer's case should be taken up when he is approaching the age of 55 and before the expiry of each extension of service. Extensions may not be granted for any period exceeding one year at one time.

(*d*) The powers given by the preceding clauses may be exercised by the authority competent to fill the appointment (if vacant) of the officer who is required to retire or retained in service.

(*e*) An officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstances, and with the sanction of the local Government.

(*f*) No claim to compensation from an officer who is required to retire under the provisions of this Article will be entertained.

By the Hon'ble Babu Akhil Chandra Datta:—

24.

(*a*) Is it a fact that a special allowance of Rs. 50 *per mensem* is given to armed inspectors? Grant of a special allowance to armed inspector

(*b*) Is this allowance given alike to European and Indian armed reserve inspectors?

(*c*) Is this allowance given in consideration of any meritorious work or on account of the nationality of the recipient?

(*d*) If on account of the latter, will the Government be pleased to state—

(*i*) the reason for this distinction between European and Indian inspectors, and

(*ii*) whether it is the intention of Government to remove this distinction?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) and (*b*) A compensatory local allowance of Rs 50 a month has been sanctioned for 31 posts, which are ordinarily, but not necessarily, held by European inspectors, usually men who have served as non-commissioned officers in the British Army. Of these 31 posts, 17 belong to the headquarters force, 8 to the town police, 4 to the railway platform police, while 2 are held by officers employed as drill instructors.

(*c*) and (*d*) The allowances were granted because suitable men of the type required for these posts cannot be obtained on the ordinary scale of inspectors' pay The Police Commission of 1903 in paragraph 80 of their report recognised the necessity of employing a certain number of European inspectors in such posts, and proposed that instead of being borne on a separate list and receiving a higher scale of pay than ordinary inspectors, they should be given a local allowance, where necessary, to cover the higher cost of living. Government do not propose to alter the existing arrangements."

By the Hon'ble Babu Bhabendra Chandra Ray:—

25.

System of open-air schools.

(*a*) Has the attention of Government been drawn to the system of open-air schools which is being tried in certain parts of Bihar and Orissa?

(*b*) Are the Government aware that the Government of Bihar and Orissa have pointed out to the local bodies the necessity of adopting a simple standard for the building and equipment of primary schools in that province and that the standard so advocated is less costly than that set up in Bengal?

(*c*) Are the Government considering the desirability of making a reference to the Bihar and Orissa Government on these subjects?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) A copy of a resolution moved by the Hon'ble Babu Gopabandhu Das at the meeting of the Bihar and Orissa Legislative Council held on 22nd January 1919 and of the reply given by the Hon'ble Mr. Le Mesurier is laid on the table. It has been ascertained that the Director of Public Instruction Bihar and Orissa, circulated in 1915 a type plan of an "open air" primary school to the chairmen of district boards and district committees of public instruction with the request that they would consider its suitability for their districts. It is understood that the plan has been accepted in several districts in Bihar and Orissa.

(*b*) As stated by the Hon'ble Mr. Le Mesurier in the speech referred to in part (*a*) of this reply the attention of district boards and other bodies in Bihar and Orissa has been drawn from time to time to the necessity of keeping down expenditure on school buildings within the limits of what is strictly necessary. The Government of Bihar and Orissa sanctioned in 1917 a proposal to create village school committees in selected localities and to utilise their agency in providing cheap houses for primary schools at an average cost of Rs. 100 to Rs. 150, the district boards paying to the committees for each house an initial building grant of Rs 50 and a recurring grant of Rs. 10 for annual repairs.

(*c*) The progress of the experiment will be watched by this Government."

Resolution (together with its reply) referred to in the answer by the HON'BLE MR. O'MALLEY *to question No. 25 (Unstarred) asked by the* HON'BLE BABU BHABENDRA CHANDRA RAY *at the Council meeting of the 27th March, 1919.*

EDUCATION DEPARTMENT.

EDUCATION.

Council Resolution regarding encouragement of open-air schools in Bihar and Orissa.

Resolution moved by the HON'BLE BABU GOPABANDHU DAS *at the meeting of the Bihar and Orissa Legislative Council held on the 22nd January, 1919.*

This Council recommends to the Lieutenant-Governor in Council that in the primary and secondary schools of this Province open-air conditions of living and teaching be, as far as practicable, encouraged, and that costly buildings of a type plan as a condition for the recognition of the school be dispensed with where the institution can be run on open-air lines with advantage.

Reply given by the Hon'ble Mr. LeMesurier.

"Your Honour,

"The Hon'ble Member has the full sympathy of Government in his wish to extend, to suitable localities, the system which he has himself adopted and works so successfully at the Satyabadi school. As he acknowledges, his wishes have been anticipated; for, more than three years ago, the Director of Public Instruction addressed all Chairmen of District Boards and Committees of Public Instruction with reference to a tentative scheme of an open-air primary school, and Government attach due importance to the approval which Satyabadi system secured from Dr. Lankester during his inquiry into the prevalence of tuberculosis in certain parts of India and they desired to see the scheme tried wherever conditions were favourable. I cannot, however, admit what appears to be the Hon'ble Member's opinion that all type plan buildings are necessarily expensive or are invariably imposed on the promoters of private schools. On the contrary the Primary Education Committee gave much time and attention to reduce the necessity of school buildings to the very simplest and most inexpensive fundamentals and from time to time the attention of District Boards and other bodies has been drawn to the necessity of keeping down expenditure within the limits of what is strictly necessary.

2. The Hon'ble Member knows by his own experience that at certain seasons and under certain conditions it is impossible to conduct the classes out of doors, and there must therefore be some provision for adequate shelter from wet and stormy weather. It is also necessary that the grounds in which the school should be held shall be so arranged even when the weather is suitable that the different classes shall not interfere with one another, *i.e.*, must not be so close to one another that the noise of one interferes with the other. In fact it would be better that each class should be out of sight of the other.

3. Government fully recognize the great hygienic advantage of an open-air school, and the Director and myself will make it a point during the visits which, as already announced in Council, we are paying to divisional headquarters with a view to discussing schemes of educational progress with the Chairmen of District Boards, to bring to their notice the advantages of the open-air system wherever local conditions make it practicable to try it."

By the Hon'ble Babu Bhabendra Chandra Ray:—

26.

(*a*) Will the Government be pleased to make a statement showing the number of persons who are at present interned at their homes under the Defence of India (Criminal Law Amendment) Act, 1915? Particulars as to persons interned at their homes

(*b*) (*i*) How many of them are in receipt of maintenance allowances, and

(*ii*) at what rates in each case?

(*c*) In the case of those who are in receipt of such allowances at present,

(*i*) has the rate thereof varied at any time; and

(*ii*) if so, in what manner and for what reasons in each such case?

(*d*) In the case of those who are not in receipt of such allowances at present,

(*i*) were they at any time, during their period of detention, in receipt of any such allowances?

If so,

(*ii*) for what periods,

(*iii*) at what rates,

(*iv*) since when have the allowances been discontinued, and

(*v*) for what reasons in each particular case?

(*e*) (*i*) How many of such persons whose allowances have been discontinued since or after " home-internment " have any independent means of livelihood and are not dependent on others for their patronage?

(*ii*) How many are capable of earning their living and are actually earning it?

(*iii*) How do the rest maintain themselves?

(*f*) In regard to those persons who are competent to earn their living,

(*i*) what were their respective occupations,

(*ii*) their approximate emoluments before they were interned, and

(*iii*) what are their present occupations?

(*g*) Are restrictions of any kind imposed on persons interned at home which interfere with their earnings or living?

(*h*) What pursuits are being followed by those who were students before they were interned, and are now interned at home?

(*i*) What is the total number of students of this class, and how many of them have been granted permission to resume their studies, and under what conditions?

(*j*) Are the Government considering how the rest should keep themselves engaged, or how they are likely to maintain themselves in future?

Answer by the Hon'ble Mr. Kerr:—

" (*a*) 143.

(*b*) (*i*) 75.

(*b*) (*ii*) At rates varying from Rs 5 to Rs. 90.

(*c*) (*i*) Yes.

(*c*) (*ii*) Allowances to persons detained in home domicile are only granted when the District Magistrate recommends this as necessary In making their recommendations District Magistrates enquire into the facts of each case The consideration of the circumstances, occupation, etc., is necessarily left to them as they are in the best position to judge.

Government are not prepared to collect from districts extensive statistics relating to a transitory period which would be out of date in many cases by the time the information was obtained and the value of which would not be commensurate with the labour involved: 36 of those at present in home domicile are already under orders of release as soon as suitable sureties for their future conduct are forthcoming.

(*d*) (*i*) Yes, in most cases.

(*d*) (*ii*), (*iii*), (*iv*) and (*v*) The Hon'ble Member is referred to the reply to (*c*) (*ii*).

(*e*) (*i*), (*ii*) and (*iii*) The Hon'ble Member is referred to the reply to (*c*) (*ii*).

(*f*) (*i*), (*ii*) and (*iii*) The Hon'ble Member is referred to the reply to (*c*) (*ii*).

(*g*) This depends on the circumstances of each case.

(*h*) The Hon'ble Member is referred to the reply to (*c*) (*ii*).

(*i*) Out of the 68 persons who are in home domicile and who receive no allowance 50 belonged to the student class before arrest. No *détenu* has been granted permission, while the orders against him are in force, to join an educational institution. There is no objection to a *détenu* continuing his studies privately.

(*j*) Detention in home domicile is probationary in character, and as soon as Government is satisfied that a *détenu* means to reform and adopt an honest means of livelihood steps are taken towards his release."

By the Hon'ble Babu Bhabendra Chandra Ray:—

27.

(*a*) Is it a fact that one Satyendra Mohan Sen, B.A., a medical practitioner, who has been under orders of internment for some time, has recently been given a home domicile? The case of one Satyendra Mohan Sen, an internee under Act I of 1915.

(*b*) What was the amount of the allowance granted to him during the period of his internment away from home?

(*c*) Is it a fact that his allowance has been discontinued since he has been domiciled at home? If so, why?

(*d*) Is it also a fact that he made an application for the continuance of his allowance, or in the alternative, for permission to practise as a physician at his native town, or, failing both, to be sent back to his former place of internment where he was in receipt of an allowance?

(*e*) Is it the case that none of these requests have been granted?

(*f*) Will the Government be pleased to lay on the table a copy of the aforesaid application, if any, together with a copy of the reply thereto?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Satyendra Mohan Sen was transferred to home domicile on the 19th December 1918.

(*b*) An allowance of Rs 40 was granted to him at his previous place of internment

(*c*) The allowance was discontinued on the man's transfer to home domicile as no recommendation was received from the District Magistrate for the grant of it. It will be seen from the reply to point (*e*) below that the matter is now before the District Magistrate and final orders will be passed on receipt of his report.

(*d*) An application for the continuance of his allowance or for release in order to earn his own livelihood was received by Government on the 10th February 1919. He did not ask for permission to practise as a physician while in home domicile.

(*e*) He was informed that allowances for *détenus* in home domicile were not granted except on the recommendation of the District Magistrate.

The District Magistrate, Dacca, has reported that a petition was presented to him by a pleader on the 19th March, and it is at present under the District Magistrate's consideration.

(*f*) A copy of the petition addressed to the Additional Secretary and of the reply are placed on the library table."

LIST OF BUSINESS—ITEM No. 2.

BENGAL BUDGET FOR 1919-20.

The Hon'ble Sir Henry Wheeler presented the Budget of the Government of Bengal for 1919-20.

He said :—

"My Lord, I beg to present the Budget of the Government of Bengal for the year 1919-20. A copy of the accompanying memorandum is in the hands of Hon'ble Members, and it explains the present position. As a matter of fact, there has been no change in the figures, as the transfer of

the small sum of Rs. 40,000 which was approved by the Council at its last meeting will be made by an executive order for reappropriation as soon as the financial year begins. As far as we can ascertain, that change has not been incorporated in the Budget figures as approved by the Government of India, who, possibly, did not think it necessary to alter their figures in this minor respect. However, the net result will be the same whichever procedure is adopted."

LIST OF BUSINESS—ITEM No. 3.

THE BENGAL FOOD ADULTERATION BILL, 1919.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, presented the Report of the Select Committee on the Bengal Food Adulteration Bill, 1919.

He said :—

"My Lord, in presenting the Report of the Select Committee on the Food Adulteration Bill I beg to make a few observations.

The Bill has been changed in certain details and the modifications made in the Bill are explained in the Report of the Select Committee and I need only refer to the more important changes. One of the most important is the addition of wheat flour to the articles specifically provided for in clause 6. It was pointed out by some of the public bodies consulted that flour is largely adulterated with soapstone and *chaoline*, and should therefore be added to the list of articles mentioned in that clause; and it was felt by the Select Committee that flour being an article of common consumption, it was necessary to provide against this practice. There are also two new provisions regarding *ghee*. The British-Indian Association, the North Bengal Zamindars' Association, and the Bengal National Chamber of Commerce were unanimous in suggesting that pure *ghee* in Bengal being manufactured only from the milk of cows and buffaloes, it was desirable that it should be clearly laid down that *ghee* should not contain any substance which is not derived exclusively from the milk of these animals. At the same time, an exception has been made in the case of curds, as unfortunately unscrupulous vendors use curds for adulteration, and it has been thought necessary to guard against such a dishonest practice. Weighty objections were also made in the opinions expressed on the Bill to the provisions of clause 5(*1*) (*c*) and (*d*) and clause 6(*3*), protecting vendors who can produce warranties or show that the food they sell is in the same state in which it was purchased by them. It has been pointed out that manufacturers often live outside the jurisdiction of the Bengal Government; and that apart from this, Calcutta being excluded from the operation of this Bill, there is nothing to prevent an unprincipled manufacturer in Calcutta from supplying vendors in the mufassal with the necessary warranty to ensure the uninterrupted sale of his adulterated article. It is represented that an open door would be left to dishonest vendors for setting up the defence that they sold their articles in the same state in which they purchased them although they themselves might have adulterated them. The British-Indian Association point out that 'emboldened by the knowledge that the law is powerless to touch them, unscrupulous manufacturers would fraudulently furnish the requisite warranty without any hesitation or fear, in order to push the sale of the articles manufactured by them.' The Marwari Association say that if the possession of a warranty guarantees impunity, it may be reasonably apprehended that in view of the large profits that can be easily gained by adulteration, 'many vendors, both in Calcutta

and in the interior, will knowingly import adulterated articles from other provinces where, the law being inoperative, it will be easy to get warranties from the manufacturers. Similarly, if the sale of articles in the state in which they were purchased is made no offence, unscrupulous vendors will be able to sell adulterated articles easily under a declaration, and adulteration will go on as ever. As the evil of adulterating articles of food has assumed dangerous proportions, this Association are unhesitatingly of opinion that, in the interests of the general public, the principle laid down in the Statement of Objects and Reasons that 'a person who sells food must take responsibility that the food is not adulterated—should be rigorously enforced in cases of both the manufacturers and the vendors, and the latter should not be allowed to go scot-free merely on the production of a warranty'. For these reasons we have, after due consideration on the Select Committee, thought fit to delete the provisions regarding warranties in clauses 5(*1*) (*c*) and (*d*) and clause 6 (*3*) of the Bill.

In clauses 5 and 6, a few words have been added to make it clear that the employer is liable for the sale of adulterated food as well as the actual salesman. Rai Mahendra Chandra Mitra Bahadur in recording his opinion on the Bill pointed out that it was desirable to add a provision that a person is liable for the acts of his servants even though they are unauthorized and against his express orders; and we think that the addition made in this clause will meet his point.

To turn to Chapter I of the Bill, it is now provided in clause 1 that the Act shall not be extended unless after previous publication; in view of the representation made by the Calcutta Trades' Association that in case of the operation of the Bill being extended to different articles of food, sufficient notice should be given to importers so as to enable them to dispose of their existing stocks and to give timely notice to home manufacturers and exporters in regard to future supplies. Some changes have also been made in recognition of the position of local authorities. In the Bill as introduced, a local authority outside a municipality or cantonment was to be the district magistrate or subdivisional magistrate. It is now provided that in rural areas the local authority shall be such authority or officer as the local Government may appoint, so that the district boards may come within the scope of the definition, while in a district, such as Darjeeling, where there is no District Board, the Deputy Commissioner would naturally constitute the local authority. Clause 3 has again been changed so as to provide for the appointment of public analysts by local bodies, when empowered to do so by the local Government. This is necessary, because, although Government must at first arrange for analytical work, this duty will have to be delegated sooner or later to local authorities who will have to appoint public analysts and establish laboratories for the purpose. It is now also provided in clause 19 that fines under the Act when imposed in an area under a district board shall be credited to the district fund.

Another change of considerable importance has been made in clause 21 which in the Bill as introduced allowed only of fines being imposed as penalties for offences under the Act. It was represented in various quarters that fines would be no deterrent. The Indian Association, for instance, remarked 'that punishment of fine alone would not be sufficiently deterrent to unscrupulous men who make huge profits by adulteration of food-stuffs.' They, therefore, suggested that the alternative of imprisonment should be provided for the second or at least the third offence. The North Bengal Zamindars' Association again pointed out 'that the year before last the Marwari Panchayat of Calcutta imposed fines of from Rs. 25,000 to Rs. 1,00,000 on some of the big *ghee* dealers of Calcutta without their feeling them'. Mere fines, they said, 'will not be deterrent punishment in the case of the big merchants who may have amassed fabulous wealth by their nefarious

trade.' It is, therefore, now provided that a sentence of imprisonment not exceeding three months may be imposed for a second or subsequent offence as an alternative or in addition to fines.

There are also some formal changes due chiefly to adopting definitions given in the English Sale of Food and Drugs Acts of 1875 and 1899, while the title of the Bill has been changed to the Bengal Food Adulteration Bill as having the advantage of brevity and clearness.

I am glad, Sir, to be able to present an unanimous report on this rather important Bill."

LIST OF BUSINESS—ITEM No. 4.

THE BENGAL PRIMARY EDUCATION BILL, 1919.

The Hon'ble Babu Surendra Nath Ray moved that the Bengal Primary Education Bill, 1919, as amended by the Council on the 18th and 19th February, 1919, be taken into consideration.

LIST OF BUSINESS—ITEMS Nos. 5 & 6.

The Hon'ble Babu Ambika Charan Mazumdar moved—

(1) that after the words "Education Department" in line 6 of sub-clause (*1*) of clause 2 the words "or the Education Board, if any," be inserted, and

(2) that after sub-clause (*2*) of clause 2 the following be inserted, namely :—

> "(*2a*) 'Education Board' means a Board composed of not less than five members, with a non-official majority, appointed by the Government to exercise the powers and discharge the functions prescribed by rules made under this Act."

He said :—

"My Lord, I feel it my duty to thank your Excellency for the opportunity which has been given to us for a further discussion of this important measure. I think I may be permitted to say that whatever others may think I do not believe that I am either an obstructionist or an enemy of progress. I only wish that the country could have made half the speed in making progress that I wish it to make. I yield to no one in my earnest desire to see this Bill successfully passed and put into active operation for the promotion and extension of primary education. The only thing is that I am unable to surrender my judgment hood-winked.

My Lord, I would ask your Excellency's permission to put the first two amendments—rather to argue the first two amendments, that is, items 5 and 6 together. Your Excellency may put these amendments in any way you like, but I think it would be convenient both for me as well as for this Council to follow the trend of my argument if I were to put them together.

My Lord, it is now several years past that a cry has been raised in the country that there should be an Education Board. People are not wanting who

ıy that the Education Department is an Archaic Institution. Call it Archaic, ll it classical, call it by any name you like, there can be, however, no denying the fact that the Education Department is one of the heaviest as well as most ıportant departments of the State. My Lord, in a province consisting of 44 lleges, over 2,700 secondary schools including more than 500 high English hools and over 50,000 primary schools—I say in a province like that—the work the Education Department cannot be a very light task. Add to that the fficulties of the department which must necessarily arise when this measure put into operation, and the Council will at once see how very onerous the sk of the Education Department must be. However capable, however voted, however Herculean the Director of Public Instruction may be, I do ink that it is beyond the power of a single administrator to control and ficiently manage a department like the Education Department. I think it high time that we should come to the rescue of the Director. It is ıproper and unfair to expect of him what it is not in human power to do, and think we ought ungrudgingly to help him by establishing an Education oard. No doubt the Director will be the head of the Board, but it would some relief and active help to him to have an Advisory Board to help m in the direction of Education, particularly as far as the primary educaon is concerned. I would, therefore, humbly propose that measures should taken, and advantage should be taken of this important measure, to ıugurate a much-needed reform for which the people have urged for a long ne, namely, to establish an Education Board.

I have, my Lord, not deliberately fixed the maximum number of mbers: various interests may have to be considered, various communal estions may arise and, therefore, I have studiously avoided fixing the ıximum number, leaving it entirely to the discretion of Government as cumstances permit them to do. I have only said that the Board should nsist of not less than five members which I believe ought to be the nimum. But, my Lord, as there is no constituency by which we can have e members of the Education Board elected, it must go without saying that e Education Board must at the present moment be appointed by Governnt, but with this reservation—that as there can be no election the nonicials should have a majority on this Board and their duties and functions, think, may well be left to the rules which will be prescribed under is Act.

The other amendment, namely, item No. 5, is a consequential provision; item No. 6 is carried item No. 5 will necessarily follow, and I hope the uncil will consider that it is high time that we should provide this chinery, this useful machinery, for the promotion of education, particularly imary education, in this country. Some other provinces have already given ir attention to this very matter, and I do not think that Bengal will lag hind. With these observations I beg to commend my amendments to the nsideration of the Council."

e Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I shall deal with these two amendments separately. With ference to the first amendment, namely, the insertion of the words 'or the lucation Board, if any,' after the words 'Education Department'; if there anybody in this Council who ought to favour this amendment it is myself. ur Lordship probably knows that on the 4th September, 1917, I moved a solution in this Council for the appointment of an Education Board for vising Government in respect of secondary and primary education of the

province. That resolution was unfortunately opposed by most of the Muhammadan members of this Council, but it appears that the Muhammadan members of this Council were labouring under a misapprehension. One of them said: 'I should also tell my Muhammadan friends that the day is probably not very far off when free and compulsory primary education will have to be introduced in this country. If and when that day comes sectarian tendencies and sectarian interests will disappear and the common aspirations and common endeavour of the people will lead the two communities to grow up side by side and build up institutions worthy of a great people.' I quote this from the speech of my hon'ble friend Mr. Aminur Rahaman. He also said: 'In Bengal, I do not know of other provinces—the Muhammadans, on account of their backward condition have been receiving special treatment at the hands of the Government. Rightly or wrongly they insist on that.' It then appears that my Muhammadan friends thought that the special treatment which they had been receiving so long would disappear if there be an Education Board in this province: but now that we are going to have compulsory education, and I may also say free education as regards the poorer classes of the population who cannot afford to pay for education, the time is come when an Education Board ought to be established, and with reference to this amendment I am glad to see that the proposal has come from no less a body than the Calcutta Corporation. The Calcutta Corporation has given the following opinion:—

That the Corporation approve the principle of the 'Bengal Primary Education Bill, 1917'.

That with this object in view, it should be provided that, within one year from the passing of the Act, it shall be incumbent upon the Commissioners of every Municipality to submit to the Board of Education detailed statements, etc.

Then, there is, of course, the constitution of the Education Board suggested by them, but I shall deal with that point later on. So, it appears, that those who have thought over the matter have come to the conclusion that there ought to be an Education Board in the province to deal with the numerous questions which may arise with reference to the primary education of the province. It is however said that when I moved my resolution we never thought that the Reforms Scheme was coming, and the division of subjects into transferred and reserved subjects and the appointment of a minister were not even dreamt of then. Now that we are going to have a division of subjects, and primary education will also be one of the transferred subjects and will be in the hands of the minister, there ought not to be an Education Board. This has been suggested by some of my friends and it is also suggested that there will be Standing Committees to assist all the departments of the State, and these Standing Committees will perform the functions of the Board which has been suggested by my hon'ble friend, Babu Ambika Charan Mazumdar. These are no doubt subjects which should be taken into consideration in considering the question of the appointment of an Education Board. So, I leave this matter entirely to Government to deal with—whether it will be practicable or not now to constitute an Education Board, if not for anything else, at least to assist the Director of Public Instruction in his multifarious duties.

Then, as regards the constitution of the Education Board, there is a great difference of opinion. The Hon'ble Babu Ambika Chandra Mazumdar

as suggested that the minimum number ought to be 5, while the suggestion f the Calcutta Corporation is this—

'That within 3 months after the passing of this Act, a Provincial Board of Education be constituted as follows :—

(*a*) One member elected from each of the five Divisions of Bengal	5
(*b*) One member appointed by the University of Calcutta	1
(*c*) One member appointed by the Corporation of Calcutta	1
(*d*) Three members appointed by the Local Government ...	3

This gives a total number of 10. Of course, my hon'ble friend, Babu Ambika Charan Mazumdar, has only suggested that the minimum number hould be 5. As there is a good deal of difference of opinion with reference o this question, I would leave the matter entirely in the hands of Government."

The Hon'ble Mr. O'Malley said :—

" My Lord, I submit that the proposal to create a Board of Education goes good deal beyond the scope of the Bill, the object of which is to enable the municipalities to provide for the promotion and expansion of primary education. It comes to this—that a change of large administrative importance is mooted in the form of an amendment to the Bill, and that, at the eleventh hour. But the constitution and functions of such a body require much more careful thought and consideration than can be given in a somewhat brief discussion of an amendment to a Bill. The idea is not new ; but it has never been fully debated so far as I am aware in this Council. The Hon'ble Babu Surendra Nath Ray introduced a motion on the subject, proposing, I think, that a Board of Education should be created with advisory powers only ; but that motion was withdrawn, and Government have not even a recommendation to the Council in its favour on the subject. I also take this point that the constitution and functions proposed for a Board of Education under the various amendments of the hon'ble mover are wanting in precision and definiteness. It is not stated, for instance, how long the members of the Board are to hold office—whether for life or a term of years—who shall be the President, whether different interests are to be represented, and so on. I submit, Sir, the constitution of a Board of Education with important functions to discharge should be much more definitely stated.

Apart from its constitution, the powers and duties of the Board are not clearly defined in the amendments. Under the amendment numbered 6 on the Agenda paper the Board is to exercise the powers and discharge the functions prescribed by rules under the Act, but the rules are at present an entirely unknown quantity. In introducing the motion the hon'ble member said that his object was to afford relief to the Education Department which will be overburdened by the onerous duties imposed by the Bill, and then he proceeded to say that what he had in mind was an Advisory Board—not a Board with executive powers, but an Advisory Board. This, however, does not agree with the other amendments, which fill in the frame-work a little. According to the amendment numbered 5 the Board is to have power to make rules and orders. That does not quite agree with the idea of an Advisory Board. On the other hand, if a Board of Education was established, having power of control over primary education, the Education Department would merely carry out its instructions. The rules and orders would be those of the Board and this amendment would, therefore, be superfluous. The same argument applies to the amendment numbered 8 under which the Education Board would have power to recognize schools. Here again, if the Education Board

was to have power of control, the Education Department would be subject to it. If, on the other hand, it is merely an Advisory Board, I do not see how it could have power to recognize schools. Turning again to amendment numbered 30 on the Agenda paper, which also stands in the name of the hon'ble mover, that amendment contemplates inspecting officers being entertained by the Board of Education, as if it were to be quite separate from the Education Department. There are these objections to the various amendments put forward. If the Board of Education is to be merely advisory, the Board will not have the power of making rules and orders, recognizing schools or appointing inspecting officers. Apart from this, there is the consideration pointed out by the hon'ble member in charge of the Bill that it certainly is a matter for consideration whether a body should be created by a statute at this stage, without any idea so far as we can see of co-ordinating it with the Minister and Standing Committees proposed by the Secretary of State and the Viceroy. It seems as if that the hon'ble mover either wishes to anticipate the Reform Scheme or that he has not perhaps fully considered what would be the relation of the Board to the Minister and the Standing Committees. I would invite his attention to clause 3 of the Bill under which a year or such other period as may be prescribed by Government is to be given for the survey of the educational needs and resources of different municipalities before action is taken under this Bill. It also provides in the alternative for another period to be prescribed, the idea of the Select Committee being that some municipalities might not be able to carry out the scheme within a year. In this connection, I may say that I was somewhat surprised by the fact that in the last debate on this Bill not a single member, if I remember aright, referred to the possibility—it may be even a probability, but of course we cannot forecast future events—that a Minister will be in charge of primary education and that if this is the case, he will be responsible for the administration of the Act. I am afraid, my Lord, that I cannot recommend the Council to accept these amendments."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I cannot clearly understand what the real objection of the Hon'ble Mr. O'Malley is. He seems to think that I have sprung upon him a new idea at this late stage. Well, if the matter had been brought before the Council at its first hearing I should have been now out of court. It is no objection that the matter comes now for the first time in Council ; in fact, the idea with which the adjournment of the discussion was applied was simply to make out a Bill as good as possible and then if there is nothing objectionable in the proposal to establish an Education Board, I do not think it suffers from the objection that it was not urged before. In the second place I beg to point out that this is only an enabling provision, that is to say, it does not demand that the Government must at once establish an Education Board, but it makes it possible for Government to establish an Education Board under whatever circumstances they think fit if it is found necessary to do so for the proper operation of this important measure. So I think there is no danger in arming ourselves with the power to create an effective body to control primary education. As regards the minimum number to which the hon'ble member in charge of the Bill has referred, I have gone on the line of the least possible resistance. I have already said that there are numerous interests whose case ought to be taken into consideration in connection with the Board. Therefore, I have fixed the minimum at 5. It may be that Government may have to fix it at 10 or 12, but that does not matter. The thing is, that if Government think that an Education Board would be an improvement, I think the amendment ought to be accepted. But, if Government think that it must go on in the old stereotyped fashion, subject to

criticisms by the public, for which the skin of the Government seems to be too thick, they may stick to the old institution and allow the people to complain, to censure and to criticize. Well, it is entirely at the option of Government, but I do think it will be a real improvement; if you really mean that progress under this important measure must be effective, well, in that case I believe it will be only wise to take steps to arm ourselves with power to make that measure effective. I have nothing further to add."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 7.

The Hon'ble Babu Akhil Chandra Datta moved that at the end of sub-clause (5) of clause 2, the following be inserted, namely :—

"after inviting and considering the views of the municipalities."

He said :—

"My Lord, in support of this motion I do not propose to make any lengthy observation. All that I want to submit, my Lord, is this—that as the municipalities will provide for the elementary education of boys and girls, it is only proper that their views ought to be invited and consulted before any plan is finally settled."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry that I cannot accept the amendment. This would make the curriculum of primary education dependent on the views of the municipalities which would be hardly desirable. But the Education Department should draw up the curriculum after consulting public opinion generally. In reply to a recent question in the Council Government have promised to publish a revised curriculum for primary schools for public opinion."

The Hon'ble Mr. Wordsworth said :—

"My Lord, on behalf of Government I endorse what has been said by the hon'ble member in charge of the Bill. The object of the hon'ble mover of the amendment is to secure that no system of primary education shall be drawn up and that no alteration in the existing system shall be made without consulting public opinion. That is quite reasonable and I trust that he will accept my assurance that this is done and will be done. Primary education in particular is necessarily a reflection of a wide public opinion as to the needs of the province, but the ultimate decision as to details of curricula and other arrangements must be retained in the hands of those who are able to equate demands and resources and who alone are able to say what the available teaching power can do. The system of primary education now in vogue in this province is being reconsidered and will shortly be published with proposals for modifications and amendment. I can assure the hon'ble member that we shall circulate our papers as widely as possible, not only among municipalities and District Boards, but also amongst all who may be able to assist us by opinion and criticism. But, for the reason stated by the hon'ble member in charge of the Bill, that primary education is a far wider thing than primary education in municipalities, I cannot recommend the Council to accept the amendment, which would pledge us by legislative enactment to consult municipalities alone of authorities interested in the welfare of primary education."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I am rather surprised that this very modest amendment should be opposed by the hon'ble member in charge of the Bill. All that this amendment seeks is that the views of the municipalities should be invited. It does not ask that the views of the municipalities will in any way be binding upon the local Government, nothing of that sort. I thought that it was very innocuous and a small proposal. After all, this Bill relates to that portion of the primary education which will be provided by the municipalities. With the larger question of primary education to be imparted by the district boards, by Government and other bodies, this Bill has nothing to do. I am thankful to the Hon'ble Mr Wordsworth for the kind assurance that the views of the public will be consulted. I do not quite see the objection in accepting the amendment, because, after all, my amendment does not go further than that."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 8.

The following motion, which stood in the name of the **Hon'ble Babu Ambika Charan Mazumdar,** being covered by the debates on items Nos. 5 and 6, was held to be withdrawn :—

That after the words "Education Department" in line 4 of sub-clause (*6*) of clause 2 the words "or the Education Board, if any," be inserted.

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that Part II of the Bill be omitted.

He said :—

"My Lord, the amendment which I am going to submit for the consideration of this Council relates to the omission of Part II from the Bill. I may be permitted to submit that this amendment and other amendments regarding this Part II of which I have given notice have not been brought forward with any desire on my part to be an obstructionist to the smooth working of the Bill which has been introduced for the spread of primary education first within municipal areas. In this Part two things are aimed at—*firstly*, collection of some information regarding the state of primary education within municipal areas; and, *secondly*, making over the charge of primary education to the Municipal Commissioners, not only for boys for whom compulsion is proposed to be introduced, but also for boys and girls who are likely to attend primary schools voluntarily. There is this difference—that in one case the girls and boys up to the age of 11 are to be thought of, but compulsion is limited to boys only up to the age of 10. Whatever may be the state of things in the Calcutta Corporation, I am rather anxious for the welfare of mufassal municipalities. So far as I know, it will be very difficult for the mufassal municipalities to take advantage of the provisions of this Bill if it be necessary for them at first to provide for the education of all persons likely to attend the primary schools voluntarily—I mean, not only for boys for whom compulsion is to be introduced, but also for girls and boys up to the age of 11. For this purpose, it is also provided that, if necessary, any sum that will be required for the purpose should be raised by taxation. So far as I can see, the primary object of this Bill is confined to the development of primary

education. If that is so, the duty which will be imposed upon the municipalities and upon Government under this Bill will be of doing the necessary things for the education of boys and girls who are likely to attend voluntarily. The apprehension is that if this is to be done, the Bill when passed into law will probably be a dead-letter. Whatever information is necessary for the consideration of Government whenever any proposal comes for introducing the principle of compulsion that can be done under the provisions of clause 6. So if the voluntary portion, which it is not the primary object of this Bill to take charge of, be left as it is, I do not see why this Part II should be retained in this Bill. It is in this view and on account of my apprehension that in mufassal municipalities, where the majority are very poor, any taxation will tell heavily upon the resources of the poorer sections of the community, that I have proposed that this Part may be omitted altogether, both as regards the collection of necessary information and as regards voluntary primary education for all; and the arrangement that if Government is satisfied that the municipality is in a position to take charge of the entire thing and is able to provide the necessary funds, if necessary by taxation, then only compulsion is to be introduced, may also be omitted altogether. The Bill may be confined to the compulsory education only. Whatever information may be collected under the provision in clause 6, the special charge, as contemplated in the Bill, only may be limited to the compulsory portion—I mean the education of boys of the age of 6 to 10 only—and no further charge need be taken by the municipality. Government should not—as is proposed—make over, as preliminary to the introduction of the principle of compulsion, the entire charge of the primary education to the municipality. With these few words I submit the proposal for the consideration of your Excellency's Council."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I have not been able to follow closely the arguments of my hon'ble friend; but I shall try to meet them as far as I can. The Bill was originally introduced as a permissive or adoptive measure by virtue of which a municipality could introduce compulsory primary education for all male children within its jurisdiction, subject, of course, to Government sanction. But, before a municipality could take recourse to compulsion, it would be required to make full provision for the primary education of all male children and Government would be quite competent to refuse sanction if they thought such provision to be inadequate.

The Bill as re-drafted introduces a stage before the introduction of compulsion during which expansion will have to be made in primary education by providing facilities for such education in the case of all male children who attend school voluntarily. This portion of the Bill has been inserted at the suggestion of the Corporation of Calcutta. The Select Committee having thought it proper to accept this provision, it would not be desirable to disregard them. I think these provisions in the Bill are worth a trial. For these reasons, I cannot accept the amendment."

The Hon'ble Mr. Arden Wood said:—

"My Lord, the object of the hon'ble member who has proposed this motion is to make the Bill under consideration what it was before it went to the Select Committee, that is, a Bill for the immediate introduction of compulsory education in Bengal.

I have listened carefully to the remarks made by the hon'ble member. I also paid attention to the remarks made by the Hon'ble Babu Ambika Charan Mazumdar in objecting to the passing of the Bill on the 18th February, and I have read them since, but I have not been able to find in them any

arguments that justify the position they have taken up. The Hon'ble Babu Ambika Charan Mazumdar has a sentimental feeling for compulsory education, as being likely to be a benefit to his ignorant fellow-countrymen, which is entirely honourable to him, but which has made him, I think, in this matter, an unpractical legislator. He objects to an education cess if primary education is not to be free as well as compulsory. It seems to me, if I may say so, a curiously inconsistent position to take up, to object to an education cess on the ground of the poverty of municipalities, and yet to agree to it if education is to be compulsory, and at the same time free; when to abolish fees would be to sacrifice Rs 17 lakhs. Those who are to be *compelled* to attend school are to be paid for out of public funds, but not one pie is to be given to help those whose zeal for education makes them attend school of their own accord, while attendance is still voluntary. The hon'ble member is also very suspicious of the powers proposed to be given to the Education Department, and he is dissatisfied with Government because they have not committed themselves to definite statements as to the contribution they will make towards the cost of extended primary education."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"Is the hon'ble member in order in referring to these matters?"

The President said :—

"I think the Hon'ble Mr. Arden Wood is in order. The amendment asks for the omission of Part II of the Bill which opens up the whole question of compulsory and voluntary education; as far as I can see the argument of the Hon'ble Member is quite in order."

The Hon'ble Mr. Arden Wood continuing said :—

"My Lord, I think that the Hon'ble Babu Ambika Charan Mazumdar's zeal for education might very appropriately have been associated with greater faith.

The Select Committee took the view that the immediate introduction of compulsory primary education was neither desirable nor possible: that, having in view the present provision of primary education, and its character, the transition to compulsory education must be by stages. Part II of the Bill, which the hon'ble member proposes to omit, will secure, first, that local authorities will be compelled to face the problem before them, and to realize what the provision of primary education means, financially and otherwise; and secondly, it will secure the provision of primary education for all children between six and eleven for whom it is voluntarily sought, if the Local Government consider the local authority able to provide it with such assistance as Government may be able to give. It is surely reasonable that before children are *compelled* to attend school, those who are to have the power of compelling them should be themselves required to make an adequate provision of schools and teachers for those who are willing to attend school without compulsion. In thus transforming the Bill, as has been said by way of a grievance, 'almost beyond recognition,' the Select Committee was amply justified by the most authoritative and weighty of the opinions on the Bill circulated to Members of Council. We were told in those opinions that only a third of the total number of boys between the ages of six and ten in Bengal were receiving elementary instruction; that while in municipalities there was over-abundance of schools, leading to competition and inefficiency, in rural areas there was a deficiency of schools; that primary schools were miserably housed, nominally equipped, and inefficiently and insufficiently staffed; that the number of elementary schools was so small in proportion to population

Mr. Arden Wood.

that compulsion would be a farce; that education should not be made compulsory in any area (municipal or non-municipal) until Government were satisfied that elementary schools had actually been established in sufficient numbers; that there were not nearly enough schools in existence at present to admit of a jump being made to wholesale compulsory education; and that any attempt to introduce compulsion without preparing the ground would only result in the perpetuation of the present defective system; and we were also told, this time by the Calcutta University, that the compulsory provision of suitable schools by local bodies has always preceded compulsory attendance at schools. These opinions undoubtedly justified the Select Committee in considering that if they left the Bill as it was orginally presented to Council it would be an empty Bill. The Hon'ble the Director of Public Instruction in his opinion on the Bill remarked that the ignorance of the masses is being steadily broken down by the accumulating influence of thousands of *inefficient schools*. It is satisfactory to find that he sees ground for hope even in this state of things, but he would admit, I think, that what he describes is, after all, only guerilla warfare against ignorance—irregular and unscientific. If the Bill before the Council is to be useful it must help to substitute scientific warfare for unscientific warfare; there must be an organized as well as a general advance. I think it is certain that the Bill as it was would have rather tended to produce educational anarchy. The Select Committee have tried, by inserting Part II of the Bill, to make organized progress possible. They have introduced the necessary intermediate stage that was wanting in the original Bill, the stage in which effort must be concentrated on providing sufficient schools of a new type for those children who will attend school voluntarily. It is the stage in which a really effective educational machinery has to be built up, which can be multiplied and extended as required. It is the stage in which a body of teachers who know what their work is, and can do it, will have to be brought into existence.

Again, it is certain that the immediate introduction of compulsory education would be impossible for financial reasons. An estimate has been made of the cost of introducing compulsory education in Calcutta. The cost, on the same scale of expenditure, of introducing it in the municipality of which the hon'ble member in charge of the Bill is the Chairman, would be some Rs. 37,000 per annum, about the present total income of the municipality. Even taking the more moderate scale of expenditure, which is certainly well under the mark, which has been adopted in several of the estimates given in the printed opinions, the South Suburban Municipality would have to spend some Rs. 11,700 per annum upon primary education as against its present expenditure of Rs. 900. In another municipality the cost of compulsory education calculated on the same scale would mean that, even if Government met half the cost, the rates would have to be increased by 33 per cent. It is obvious that the many municipalities that expressed themselves enthusiastically in favour of compulsory education did not in the least realize what the provisions of the Bill amounted to. For financial reasons only, the Bill, as originally drafted, was bound to be a dead-letter if passed into law.

The retention of Part II of the Bill is of great importance for another reason. I said, in speaking on the Bill on a previous occasion, that it was by no means yet certain what is the best form of elementary education. We are, I hope, feeling our way towards it, and it would, therefore, be a fatal mistake if we introduced compulsory primary education in Bengal now, for, in doing so, we should almost inevitably stereotype the existing form of primary education, which is, in its essence, literary, and which has the great disadvantage, remarked upon by so many of those who contributed opinions on the Bill, of tending to turn boys away from their ancestral occupations.

Education has to play a great part in making possible an improvement in the material condition of the masses of the people, who are, and will remain, cultivators and artizans. I feel sure that, with this end in view, elementary education must, in future, be mainly based upon work done in the school garden, and in the manual training room and drawing class, rather than on the work done in the ordinary class room where only the three 'R's' are mechanically taught by untrained and ill-educated teachers. The whole bias of elementary education has to be changed.

The retention of Part II of the Bill will mean, I hope, a gradual and steady advance towards the desired goal of compulsory education, and will make it eventually possible for education to be compulsory for all boys between the ages of 6 and 10. But does anybody suppose that if compulsory education is in any sense a success it is going to stop at the age of ten? A boy of ten is about half-way through his education, as elementary education is tending to be in other countries. And with a more liberal view of what elementary education should be, and the super addition to it of vocational education, we may be quite sure that the future Minister of Education will have to face and provide for a vastly increased expenditure upon it. For this reason again it is desirable that we should act with deliberation in this business, making it our aim to secure efficiency and not merely a showy rapidity of educational advance.

I should like to ask the hon'ble member who has proposed the omission of Part II of the Bill in whose interests he is proposing it. Does he think he is proposing it in the interests of those whom this Bill seeks to benefit: the children we desire to help? If he does, I do not agree with him. I think he is fighting against them instead of for them, and I think that with clearer vision he would come to hold the same opinion."

The Hon'ble Babu Akhil Chandra Datta said:—

"My Lord, the introduction of compulsory education was the object of the Bill as originally presented to the Council. But the Select Committee have materially modified not only the *form* but also the *intention* of the Bill by the introduction of provisions relating to voluntary primary education. Part II may be described as an interpolation made against the spirit of the original Bill. It is based on the assumption that there are few municipalities in Bengal which are now in a position to contemplate the introduction of compulsion. Compulsion was the essence of the reform which the Bill was intended to introduce. The principle of compulsion has no doubt been recognized in the Bill, but it is a half-hearted recognition lacking in anything like enthusiasm and spontaneity. The Select Committee have emphasized the supreme importance and efficacy of the voluntary system and set up the compulsory system as an ideal more or less remote. Compulsion in the first instance has not only been discountenanced but practically prohibited. The whole Bill may be described as a code of instructions issued to the municipalities as to their duties in the matter of mass education within the municipal areas. Now, the first and foremost instruction given in Parts II and III is to give a further trial to the voluntary system. The original Bill wanted compulsion, but Part II cries 'halt' to the municipalities and says to them: 'Don't think of compulsion at present. Concentrate your energies and resources upon the voluntary system. You must first carry out the orders of the Education Department regarding building, furniture and staff of the primary schools under the existing system. When you have done all that then and not till then are you to contemplate the adoption of compulsion'. The merits and demerits of the

Babu A. C. Datta.

compulsory and voluntary systems of primary education—that is an old controversy and both the Government and the people have said their last word upon that controversy. It is now about ten years ago that Mr. Gokhale introduced his Primary Education Bill in the Imperial Council, and while opposing the Bill the Government suggested that Bills might and should be introduced in local Councils for the introduction of compulsion. Accordingly Bills have been introduced in the different provinces and the system of compulsion adapted. The matter is so absolutely uncontroversial that we find that in the Punjab the initiative has been taken by the Government itself and a Government Bill has been introduced in the Legislative Council for that province. My Lord, it is only here in Bengal, the most advanced province in the whole of the Indian continent, that the old controversy as to voluntary and compulsory systems has been revived. We thought it was too late in the day to raise this controversy, we thought the principle of compulsion had been adapted once and for all and that all that was necessary was to give a practical shape to it and to put it on a practical basis. But ours is a land of surprises and Part II is a great surprise sprung upon the country.

The whole question, my Lord, is how to attract those boys to schools who now keep away. What is the reason for the failure of the guardians to send their children to school? The reason is two-fold which the guardians sustain if they have to send their children to the schools rather than to the fields and factories? They feel that they can ill-afford to forego the little earnings of the children and their disinclination is intensified when they find that over and above this negative loss they will have to incur positive loss in the shape of fees and other expenses.

The question, therefore, arises how to overcome this disinclination? Now, the positive loss can only be met by making elementary instruction free. But free education is not necessary when children attend school voluntarily. It is necessary only when boys are compelled to come to school. So it is absolutely meaningless to speak of the positive loss as a retarding cause, as long as the voluntary system continues. There remains, therefore, only one reason which we have got to consider, namely, the disinclination of people to send children to school because they are eager to obtain what advantage they can from their children's earnings. Now, the question is, what is the real remedy to get over this difficulty. There can be only one answer to this question, and that is compulsion. If we think it is hard to poor people to deprive them of what relief the small earnings of their children bring them, then the matter ends there and we should not think or speak of universal mass education. If, on the other hand, we care at all to carry elementary education at least to that fraction of His Gracious Majesty's subjects who live in towns and municipalities in this country, then the only solution is the introduction of compulsion. Some people think that it is not the people's poverty but their indifference to the moral and intellectual welfare of their children which is the real explanation for their failure to send them to school. But I should think this indifference is mostly due to nothing but poverty. In any case this indifference cannot be got over except by compulsion. What is the remedy provided by Part II of the Bill before us? It proposes to empower the local Government to insist upon the municipalities to provide the necessary school accommodation, staff and equipments for all children between 6 and 11 years of age likely to attend primary schools voluntarily and to assume direct management and control of all such schools and gives power to them to levy taxation if the municipal funds are insufficient. But it is very difficult to understand how these provisions for voluntary education will solve the problem of educating those children who will not attend

school voluntarily and whose parents will not send them to school voluntarily? For, we must not lose sight of the real problem we have got to tackle, namely, how to overcome the disinclination of those people who do not send their children to school. You may impose an education cess and augment the resources of the municipalities, but what will be achieved thereby? With increased funds the municipalities may set up more schools and better schools. But the system being voluntary, how will this ensure the attendance of the wards of unwilling guardians? Is there any reason to think that poor and ignorant people do not send their children to school because the houses are not comfortable or the teachers are not brilliant? Mr. Richey thinks that inefficiency of schools is one of the main retarding causes. But I speak with knowledge when I say that there is absolutely no justification for such a conclusion. Then, it is said in certain quarters, multiply schools and children will attend in large numbers. There is certainly wisdom in this advice, but the remedy will not go far enough in overcoming the disinclination of those unwilling guardians whose wards do not go to school, not because there are no schools to go to, but because the boys are expected to help them at times of sowing, weeding and reaping, to tend cattle, do jobs about the house or add to the family earnings in various ways. Various devices have been adapted in various provinces to enable the son of the agriculturist and the labourer to help in the fields and yet continue his education, but none has been particularly successful. It is said that the whole problem is fraught with difficulties and doubts. Compulsion may be a drastic remedy, but it is the only effectual one. My contention is that mere multiplication of schools will not take us appreciably nearer the goal. This is not a matter of speculation, but my contention is supported by facts and figures. In the Punjab the number of new schools opened in the quinquennium 1912-17 was six times that of those opened in the preceding period; but the increase of pupils was only double that of the preceding period. I cannot in this connection emphasize too much the difference between rural and municipal areas. In the rural areas the opening of new schools will certainly lead to an instantaneous and remarkable increase of pupils. But things are quite different in towns and municipalities where the lower classes of high English schools and middle English and middle vernacular schools serve the purpose of primary schools. I should think there are not many municipalities with respect to which it can be said that it is want of schools which stand in the way of the expansion of primary education. Some years ago it was estimated that 3·2 *per cent.* of the ordinary income of our municipalities was sufficient for the elementary instruction of half the boys of school-going age who are likely to attend school voluntarily. I find that in 1916-17, 88 out 113 municipalities came up to this standard and that 42 municipalities spent more than 5 *per cent.* of their income on primary schools. So that, taking the province as a whole, the voluntary system may fairly be said to have yielded as much result as can be expected from it. I am, of course, speaking of municipalities. If, however, the system is capable of yielding further result, and if application of further funds will lead to extension of elementary education, even on a voluntary basis, that can be accomplished by insisting on the municipalities to loyally follow the very wholesome principle laid down by the Government of India in reviewing the recommendations of the Decentralization Commission that expenditure on secondary education should not be incurred by municipalities until the requirements of primary education are fully met. But the fact remains that the voluntary system of primary education has not solved the problem of mass education in any civilized country. It won't do to taunt at the Indians for their indifference to the intellectual welfare of their children. Even in England primary education could not make sufficient progress without compulsion in spite of her civilization and wealth. In 1870 Mr. Gladstone remarked: 'I think it is a scandal and a shame to the country (England) that in the midst of our advanced civilization and

Rai R. C. Pal Bahadur.

enormous wealth we should at this time of day be obliged to entertain the principle of compulsion.'

It passes my comprehension, my Lord, why we in Bengal should have greater faith in the voluntary system than the people of other countries and other provinces. I have great pleasure, my Lord, in supporting the amendment of my friend Babu Kishori Mohan Chaudhuri."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I do not quite follow the proposal of the hon'ble mover. He wants to delete Part II of the Bill. That part originally dealt with compulsion, but it has been recast mainly on the suggestion of the Corporation of Calcutta. What the Corporation suggested was this: the introduction of compulsory primary education should be obtained step by step. That is to say, it should be seen first whether there is an adequate provision for voluntary education and whether the municipalities concerned are in a position to provide accommodation for their pupils who are anxious to go forward voluntarily, and if that proves to be the case, then to go in for compulsory primary education. I think, my Lord, that all of us here have got the same object in view, and that is, the introduction and extension of primary education in Bengal. But, I think, that this should be gradually achieved. There are, however, certain defects in Part II. The Corporation, while recommending that a statement on the lines suggested in clause 3 (school accommodation, staff, etc.), should be submitted by the municipality, suggested that the statement should be prepared on the assumption that the local Government contributed towards voluntary primary education an amount not less than the amount raised or set apart by the municipality from its own resources for expenditure on primary education—and not less than double the amount raised or set apart by the municipality for compulsory primary education. The next suggestion of the Corporation was that the Board of Education, the formation of which they suggested after receipt of the statement and after considering the condition of each municipality, would be competent to issue an order to any municipality to provide the necessary school accommodation, staff, etc., and to undertake the complete maintenance and control of primary education on a voluntary basis, to be carried out by successive stages. Then, the Corporation touched upon the compulsory form of primary education. In this Bill, although the suggestion of the Corporation has been partially accepted, the principal suggestion as regards the provision to be made by Government has not been accepted. And I am afraid that if it is not accepted the Bill will be of no effect. Now, my Lord, after receipt of this statement and after determining the amount to be paid by Government the local Government may, after satisfying itself, direct the Commissioners to provide the necessary school accommodation. Now, suppose after such an order is passed on a municipality it is found that the receipts from the education cess are not available and the Government contribution is also not adequate—then what will happen? Of course, so long as your Excellency is at the head of the Government and Mr. O'Malley at the head of the department, there is no fear. But, supposing the Government is not inclined to afford that assistance to the municipality which the municipality may consider necessary in order to supplement their resources, then I am afraid the Bill will be inoperative.

I am at the same time afraid that I cannot support the motion for deleting Part II altogether. Having regard to the present state of the country, I think it is necessary to help the municipalities in attaining the object of this Bill and I also think that Government have got a responsibility in the matter. They should see that the municipalities do make sufficient provision for school accommodation, etc., in order that they may be able gradually to

introduce the compulsory system. In my opinion Part II of the Bill is necessary, as it lays down the terms of introduction of the compulsory education and as otherwise, nothing will be done in case the municipalities refuse to levy an education cess and Government refuse to make an adequate grant."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I wish to make only one observation. It seems to me that there is some misapprehension both in this Council as well as outside the Council as regards the attitude of some of us, and this misapprehension to my mind is confirmed by what has fallen from the Hon'ble Mr. Arden Wood. Nobody denies that the successive stages provided for any reform must be accepted as salutary. What some of us have been contending throughout is this—not that we are opposed either to an education cess or to the spread of primary education but we would rather go a step further and say that if an education cess is to be levied by all means it should be levied, but make primary education compulsory and free so that the Act may be fully effective. That is our position. The Hon'ble Mr. Arden Wood has told us that without these successive stages there may be altogether a failure of primary education in this country. There seems to be some mistake on this point. Some of us belong to the holy order of the Calcutta Corporation, some do not and those who receive inspiration from the Calcutta Corporation which is responsible for this change in the Bill seem to think that that is the be-all and end-all of all devices. But the condition of Calcutta is perfectly different from the condition of municipalities in the mufassal, particularly as regards primary education. I am bold enough to say that primary education has made much greater strides in the mufassal municipalities than in Calcutta. There is scarcely a municipal ty in Bengal where the preliminary stage has not been fully complied with. There are large numbers of primary schools in municipalities where they spend 3 to 6 *per cent.* of their income annually without any taxation for the purpose of primary education and the mufassal municipalities are not so backward as far as the arrangements for primary education are concerned as Calcutta. So what may be considered as very important for Calcutta for the spread of primary education is not necessarily what ought to be done for the mufassal municipalities. I heard of the state of the poor progress made in this metropolis as regards primary education and in fact I was surprised to hear that its progress was so slow and so unsound as compared with the progress made in regard to primary education in the mufassal municipalities. Of course the provision in Part II is perfectly good and legitimate as far as the board's jurisdiction is concerned, but I do think that as regards the municipalities where the Act will have its first operation, Part II will have very little application. My friends have told your Excellency that there are primary classes in almost all the schools, and in every municipality there are not less than half a dozen primary schools excepting the high schools, the middle English schools and the middle vernacular schools which also contain primary classes; so that there is no dearth of schools or of accommodation—of course, they are not palatial. I heard to my great relief from my hon'ble friend Mr. Wordsworth that he is not very much in love with very ostentatious display of school buildings and school furniture. If that is so, I think, that Part II, carrying with it an education cess will have very little encouragement for the mufassal municipalities. It may have much encouragement for Calcutta, and it may be a very good incentive for the rural areas outside local municipalities. So that our attitude is not that we are opposed to primary education nor to the education cess, but what we mean is that if we want really to make a substantive progress in primary education within municipalities outside Calcutta it ought to be compulsory. That is the main position and, in fact, we ought not to be misunderstood in this respect."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

" My Lord, I happen to belong to the ' holy order ' as it has been put, of the Calcutta Corporation and to other ' holy orders '. I am reminded by my friend Sir Rajendra Mukerjee that my belonging to the Corporation order is of recent days. My friend forgets that as one of the Twenty-eight, whose resignation led and will still further lead to municipal improvement. I used to belong to that order years ago ; and in spite of the intermediate and obligatory lapse, I have in spirit always belonged to it. I cannot, however, subscribe to the proposition that what the municipality of Calcutta has put forward is likely to put off real compulsion to any appreciable extent. If Part III of the Bill was not a part of the Bill and Part II stood by itself, much of the criticism that has been levelled towards it would have been intelligible. What does Part II of the Bill—for which the Corporation has made itself responsible—really amount to? It is something like a buffer—and insists that an educational survey be made in the first instance to find out the position as well as the resources and requirements. It also seeks to find out exactly how and when Part III, which deals with compulsion, can advantageously be introduced. That is all that Part II of the Bill aims at and its object cannot possibly be to put off the evil day ; and the Council will be ill-advised in leaving out so healthy a provision.

" My Lord, to have a mere paper provision for compulsion and not to be compelled to provide for that compulsion would be a strange situation for which all really interested in the educational welfare of the country would be truly sorry. Can any of my friends from the mufassal say that any primary schools or lower classes in higher or middle schools that take the place of primary schools are empty or nearly so? Is it the case that the schools that have been established are starved for want of students? If that was the case and there was no doubt or misgiving on the score of requirements or resources the case for compulsion would be immediate, and the necessity for Part II of the Bill would disappear. My Lord, whether in the higher stage, or in the University stage or the middle or primary stage there is not a school or *patsala* all over the whole country that cannot be filled twice over. The number of students that has to be turned away from the doors of our schools and colleges every year is admittedly large and to talk specially of compulsion without providing in the first instance for those willing to attend without any compulsion is, to say the least of it, neither honest nor businesslike. You would be unwarrantably and needlessly weakening the whole situation. That being the situation, our first care should be to provide for those who are ready to go to school, and when that is done and you know where you are going to put those who do require compulsion, to take steps for compulsion, which ought to come as early as possible. To take to compulsion where it is not yet required is to try to have a mere paper provision when we have not the means of compelling that compulsion.

My Lord, I do not think that the Hon'ble Mr. Majumdar or anyone will charge me with advocating the necessity of having palaces for housing our schools. The charge against me so long has been that I do not believe in the superabundance of brick and mortar in connection with education, but am fully prepared to accept schemes of work such as the Satyabadi School in Orissa follows. None has tried to stand out for that ideal more than myself. I believe that sometimes beneath the outstretching branches of a tree or in the courtyard of a family dwelling-house, where our *patsalas* used to meet a school can be well conducted. I have seen illustrations of this in many parts of Bengal and I fully believe that, without overmuch brick and mortar, it would be possible to have excellent educational institutions. But the most important matter is the question of good teachers and teachers' pay and one has to consider various other matters connected with it which could be best solved by proceeding slowly, and that process of slow but steady progress, I think, have the full co-operation of the people whose needs we are trying

to meet. Let us in the first instance provide schools which could be filled without having recourse to compulsion. It is not the 'holy order' of the Corporation of Calcutta alone that was responsible for the outrageous provision that finds place in Part II of the Bill. The Senate of the Calcutta University, whose holiness will, I hope, be left unimpaired, may grow more in the skilful hands of our hon'ble colleague, Sir Nil Ratan Sirkar, is somewhat of the same opinion. The Hon'ble Mr. Arden Wood has already referred to it. I might read to the Council the full text of their opinion. This is what they say : 'We feel, however, that before compulsion is introduced, education should be made free.' They further say : 'We hope that local bodies here will of their own good will take upon themselves the responsibility of providing an adequate number of schools for all the children residing within these areas.' That is the first proposition which Part II of the Bill seeks to provide. When all that is possible and what is necessary in the shape of complying with the requirements of Part II is forthcoming, Part III comes in almost automatically. The municipalities ought not to be called upon to take more burden upon themselves than they can adequately bear without a thorough understanding of the situation. We have been told of the mufassal municipalities and their enourmous possibilities. Only a few days ago I was present at Dinajpur where a very large public meeting was held to consider this question. After going through the facts it was found that even if Government were prepared to pay Rs. 10,000, but the municipality could ill-afford to pay as much to provide for the number of children the municipality had of the school-going age. There may, of course, be some municipalities which may be fortunate enough to come up to the standard laid down by Mr. Majundar and after the survey these will take up the work the soonest, but we know of municipalities where the question will be very acute and without properly considering their resources, to say at once that Part III should come into operation is at least short-sighted and not favourable to the point of view which I am sure is in the minds of all of us. I would emphasize the supreme necessity of having compulsion at the end, and the surest and most effective way is provided by Part II. I do not, therefore, understand the object of omitting it and hope that the plea for this omission will not prevail."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

My Lord, I have tried to explain in the beginning that my object is that compulsion and taxation should go hand in hand : if the compulsory primary education is to be introduced, of course, the taxation will be justifiable. If that is not done, I believe it will rather hamper the progress of education and the poorer municipalities will not be in a position to come forward at first to provide for the education on a voluntary basis and to assess any tax for meeting the expenses for that and then and then only to come for compulsion. It is not my intention that we should not satisfy Government first as to what is necessary for the spread of primary education and then to apply for compulsory education, but my amendment is that we should not think of assessing any tax before we are prepared to introduce compulsory primary education. I do not mean to say that we do not care whether all children up to a certain age are educated or not, but what I want to say is that when the compulsory education scheme contemplates a provision of education of boys up to the age of 6 to 10 only, in that case if we are to satisfy Government by a preliminary survey of educational requirements, we should confine our attention to that portion only. It is in that view that I think that Part II is not at all necessary, for the scope of the Bill is to deal with compulsory primary education only, and if we are to introduce it, and if we are to see that up to the age of 10 all boys are educated we should confine our attention to that portion only ; and if they mean to prosecute their studies further they will do it themselves on a voluntary basis or in any other way that may be

thought advisable to the guardians and themselves. It is not necessary for me to say more and I submit my amendment for the consideration of your Excellency's Council."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 10.

The **Hon'ble Babu Kishori Mohan Chaudhuri** moved that sub-clause (*a*) (*i*) of clause 3 be omitted.

He said :—

"My Lord, my next item is, as I have explained already, that if any survey is to be made, it may be made for those for whom compulsory education is to be provided. It is not necessary to make a survey of the existing state of primary education in the municipalities It is desirable no doubt for Government to see that before introducing the principle of compulsion it should be seen that what is required is being done, but as the scope of the Bill is to deal with compulsory primary education, it is not necessary, in making the survey, to go into the requirements of all children both boys and girls for whom it is not intended to introduce the principle of compulsion. I may be permitted to deal with the proposals contained in items 10, 11, 12 and 15 because the main idea is the elimination of those for whom the compulsion is not intended. If that is accepted the other amendments will be simply incidentally necessary. If that principle is not accepted then it is not necessary to move them separately."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I have to oppose this amendment for the reasons already given by me in opposing my friend's other amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have tried to follow my hon'ble friend but I do not quite understand what useful purpose will be served by omitting clause 3(*a*). If a statement is to be prepared and submitted to the local Government it is stated here that it would include the number of children not being less than 6 or more than 11 years of age within the municipality. I do not understand why my friend wants to omit it. Does he mean to say that the term 'children' includes boys and girls and that girls ought to be excluded from the statement. I cannot quite follow it. This is a statement which ought to be the necessary basis of information before compulsory primary education is introduced, and I do not quite follow my friend what he means by proposing that the sub-clause should be omitted."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that sub-clause (*e*) (*i*) of clause 3 be omitted.

The motion was put and lost.

Rai R. C. Pal Bahadur; Babu S. N. Ray; Babu K. M. Chaudhuri.

LIST OF BUSINESS—ITEM No. 12.

The following motion which stood in the name of the Hon'ble BABU KISHORI MOHAN CHAUDHURI was, by leave of the President, withdrawn :—

That sub-clause (*e*) of clause 3 be omitted.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble Rai Radha Charan Pal Bahadur moved that before the word "receipts" in line 2 of sub-clause (*f*) of clause 3 the word "probable" be inserted.

He said :—

"My Lord, this is merely a verbal amendment designed to clear up the meaning of the section. When the statement under section 3 will have to be submitted, the levying of an education cess will be an uncertain future event. It is not the intention of the framers of the Bill that such a cess will be levied in every case before compulsion can be introduced. Possibly the misapprehension that the Bill is designed to be a measure of taxation should be avoided and therefore I think, my Lord, that the word 'probable' would make our intention clear. It would not break my heart if it is not accepted."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I accept the amendment of my hon'ble friend."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 14.

The Hon'ble Rai Radha Charan Pal Bahadur moved that after the word "cess" in line 3 of sub-clause (*f*) of clause 3 the words "that may in future be levied" be inserted.

He said :—

"My Lord, this is also merely a verbal amendment and I should be glad if it is accepted."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, though it is unnecessary still I accept the amendment."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 15.

The following motion which stood in the name of the Hon'ble BABU KISHORI MOHAN CHAUDHURI was, by leave of the President, withdrawn :—

That for the word "such" in line 4 of sub-clause (*f*) of clause 3 the word "the" be substituted.

Babu K. M. Chaudhuri; Babu A. C. Mazumdar.

LIST OF BUSINESS—ITEM No. 16.

The following motion, which stood in the name of the Hon'ble Babu Kishori Mohan Chaudhuri was, by leave of the President, withdrawn :—

That after the word "education" in line 4 of sub-clause (*g*) of clause 3 the following be inserted, namely :—

"for boys referred to in clause (*a*)".

LIST OF BUSINESS—ITEM No. 17.

The following motion, which stood in the name of the Hon'ble Babu Kishori Mohan Chaudhuri was, by leave of the President, withdrawn :—

"That clause 4 be omitted."

LIST OF BUSINESS—ITEM No. 18.

The following motion, which stood in the name of the Hon'ble Babu Kishori Mohan Chaudhuri was, by leave of the President, withdrawn :—

That the words "after complying with the directions of the Local Government under section 4" in lines 1 and 2 of sub-clause (*1*) of clause 6 be omitted.

LIST OF BUSINESS—ITEM No. 19.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the words "Local Government" in line 1 of sub-clause (*2*) of clause 6 the words "after considering the application and after determining the financial assistance from the Government which may be necessary to provide for compulsory primary education within the municipality, shall", be inserted, and the word "shall" in line 3 of this sub-clause be omitted.

He said :—

"My Lord, this is not merely a verbal amendment. In considering this amendment I would invite the attention of the Council to the wording of clause 4. In case of primary education on voluntary basis, it has been said that after considering the statement of the municipalities concerned and after determining the amount of financial assistance from the Government which may be necessary Government will grant such permission with reference to voluntary education. Now here in clause 6 we have to consider a similar provision with regard to compulsory primary education, and I wish to have it added that the same provision which we have in clause 4 should be repeated in clause 6 : that is to say, as in the case of voluntary education, Government will have to determine the amount of financial assistance which it can render, so in the case of compulsory education it shall have to do the same thing. It may be argued that Government has already under clause 4 determined the financial assistance, so that it is no longer necessary to repeat it in clause 6. I think that is not exactly the correct position, for it must go without saying that when Government comes forward, although Government has not committed itself to any financial assistance, as we know from the heated debate on the last occasion on this measure, yet I am more than confident, as every hon'ble member of this Council is confident, that Government for its own credit will surely come forward with some assistance, and some substantial assistance, for the help of primary education. Although it has

not committed itself to any definite proportion, I am sure that simply for its own reputation, if not for anything else, it will make a substantial contribution. Now that contribution will at once be determined in the case of voluntary education under clause 4, but in case of compulsory education I am fully convinced that the cost of compulsory primary education will be much larger than that required for voluntary education and Government is sure to contribute more for compulsory primary education than for education on a voluntary basis. Therefore I think it is necessary to repeat in clause 6 that Government after determining the financial assistance that may be necessary for compulsory primary education shall grant the application. In the first case under clause 4 it will consider what amount of contribution is necessary for primary education on a voluntary system and in the next case in Part II when dealing with an application under clause 6 Government will have again to consider what contribution it ought to make for making education compulsory and therefore the repetition of 'after determining the financial assistance, etc.,' is not a merely verbal one. I think it ought to be repeated there."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I have great pleasure in accepting this amendment."

The Hon'ble Mr. O'Malley said :—

"My Lord, Government is prepared to accept this amendment."

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 20.

The Hon'ble Maulvi Abul Kasem moved that at the end of clause 7 the following be added, namely :—

> "Provided also that the Committee shall always include a number of Muhammadan members whose proportion to the total number of members on the Committee shall not be less than the proportion of Muhammadans to the total population in the municipality".

He said :—

"My Lord, the question of communal representation whether it be on the local governing bodies or the school committees is no doubt an evil, but circumstances as we are in at present it is a necessary evil, and in the interest of the Muhammadan community I put forward this amendment for the consideration of your Excellency's Government and the Hon'ble Members of this Council."

The Hon'ble Babu Surendra Nath Ray said :—

'My Lord, I am sorry I have to oppose this amendment. I cannot understand why my friend the Hon'ble Maulvi Abul Kasem who is always wide awake should in this matter be a Rip Van Winkle. It seems that this Bill is before the Council for more than a year and at the last stage of the Bill he brings forward an amendment which we had not time to consider in the Select Committee. The Hon'ble Maulvi A. K. Fazl-ul-Huq was in the Select Committee and probably there is no greater exponent of the views of the Muhammadan community than my friend, but he never suggested any such proposal in the Select Committee. Now I think it is too late in the day to make any such suggestions here. When the Bill was before the Council only

the other day no amendment of this nature was brought forward by any of the Muhammadan members here. This amendment introduces a communal consideration which is unnecessary and unwarranted, and as I have said the Hon'ble Maulvi Fazl-ul-Huq never suggested any such representation. Supposing the Commissioners looked after the schools themselves and there was no provision for school committees, no such communal question would arise because the existing municipal constitution does not recognise communal representation. Unless and until communal representation is recognised in municipalities this principle should not be introduced in a lesser body subordinate to and appointed by them. Moreover, primary education is a matter in which communal questions rarely arise. For these reasons, my Lord, I oppose this amendment."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I am really very sorry to have to say that this is an impossible proposal. Of course the Hon'ble Maulvi Abul Kasem is perfectly right in guarding the interests of his community in season and out of season, but here is a proposal which is absolutely impracticable. I daresay my hon'ble friend surely understands that the school committee will not be a large body like the Bengal Legislative Council, but it will be a small working committee which I do not think in any case will consist more than half-a-dozen members. You must have in the first place as we have laid down that the Deputy Inspector or the Sub-Inspector must be a member of it, and that is quite right, and then at least one of the Commissioners must also be there, and, thirdly, you have laid down that at least two members outside the Corporation must be on it : so that you may have one or two members more at most. If there be five members you will have only one left. I leave it to my hon'ble friend who is a watchful guardian of his communal interest to find out the arithmetical proportion of the percentage to be worked out in an area where the Muhammadan population is 60 per cent. and the Hindu population is 40 per cent., and there is only one vacancy. I do not know how to work out this proportion without dissecting the member. In the second place what does my hon'ble friend mean? He knows that I have bestowed my thought upon all questions affecting my Muhammadan brethren and I may tell him that this is a case of pound, shilling and pence and not merely of numerical strength. Now in a municipality where Rs. 2,000 have to be raised by education cess the Muhammadans will probably contribute not more than Rs. 200. If he goes upon numerical strength what becomes of the financial position. If we are only to consider the numerical strength of a population in order to decide the number of the controlling body, then cannot the other side also say that as we are going to pay for the piper why should we not command the tune. So that these little things ought not to go in the minds of persons wholly interested in the broad welfare of the country in considering the constitution of the school committee. It is an impossible amendment and in the second place it is unfair because you cannot go simply upon a numerical strength and you have also to consider the financial side."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am really surprised and I did not expect that the amendment which I have just moved would extort the reply that has been given to it. In the first place my hon'ble friend, the member in charge of the Bill, has said that we have not drawn attention to this side of the question so long, that is, as long as the Bill was before the Council and that in the Select Committee the Hon'ble Maulvi Fazl-ul-Huq did not bring it to notice. I admit, my Lord, that I took no action in this matter and I also admit that

my friend, Maulvi Fazl-ul-Huq, has been also guilty of a little negligence, but that is absolutely no reason why the interests of the community which we represent in this Council should be overlooked. From the opinions received from many of the Muhammadan Associations it appears that some of them have no doubt stated that they want Muhammadan representation and that Muhammadan interests should be safeguarded. The Hon'ble Babu S. N. Ray has said that this question of communal representation cannot be introduced at this stage unless and until communal representation is recognised in municipalities. My Lord, I beg to submit that we the Musalmans have asked for a communal representation on municipalities and District Boards and to some extent your Excellency's Government has also recognised our demand. When the Bengal Local Self-Government Act and the Municipal Act were passed it was presumed that Muhammadan interests would be safeguarded by Government appointments, but recent events have shown that that has not been done always in the majority of cases. So your Excellency's Government had to issue a resolution directing Government officials in making their recommendations for Government appointments to keep in view the question of Muhammadan representation, and I hope, my Lord, that that resolution is given effect to. There have been many controversies over this matter, and as regards the remark made by the Hon'ble Babu Ambika Charan Mazumdar that not only the numerical strength but the financial question should also be taken into consideration, if I am assured that the second resolution of which I have given notice is accepted by the hon'ble member in charge, I am quite prepared to withdraw this amendment. I certainly admit, my Lord, that there is a good deal of justification in the argument that the representation should not only be on the basis of population but as well as on the basis of taxation. What I want to do is that Muhammadans would have a fair representation on school committees, and I do it not only on sentimental grounds but on the ground of necessity as well. We have found to our cost whether it is in a municipality or a District Board that simply owing to the absence of Muhammadan members or an adequate number of Muhammadans, Muhammadan interests have suffered. That has been done, and there is no denying the fact. I do not mean to say that non-Musalman members of the school committees or other local committees do anything deliberately wrong, but they overlook Muhammadan interests unconsciously, and my friend and myself have put forward demands times without number that in all administrative questions wherever a resolution has been put forward we have suggested that a committee of officials and non-officials be appointed simply because the non-official point of view should be pressed before the committee. For that reason I want that Muhammadans should be sufficiently and well represented on all these committees in order to bring forward Muhammadan interests and the views of the Muhammadan community on these questions, and therefore I hope and trust that as this amendment does not refer to financial question, I will be justified in pressing it. I myself admit the justification, but I hope that the second amendment will be accepted by the Council. I beg to withdraw the amendment."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 21.

The Hon'ble Maulvi Abul Kasem moved that at the end of clause 7 the following be added, namely :—

"Provided also that the Committee shall always include an adequate number of Muhammadan members."

Babu S. N. Ray; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment. These matters may be safely left to the Local Government which may either frame rules to secure communal interests, if any, or issue general instructions to secure the object."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, much against my will I wish to say a few words on this amendment. The amendment as it has been worded only suggests that an adequate number of the members should be Muhammadans. The word 'adequate' is so beautifully vague that I do not think that my hon'ble friend in charge of the Bill can possibly take any objection to it, at least on any ground which I can at the present moment conceive. I do not think he wants to take up the position that there may be questions affecting the Muhammadan community as to which Muhammadan members can throw better light than members belonging to other communities and yet as certain number of Muhammadan members should not be associated in the deliberations of the committee. If he does not take up that position, I do not see how and on what reasons he can object to an amendment of such an innocuous character. He has suggested that the matter may be left to Government to be dealt with by rules. We object to that on principle. If I remember aright, on the last occasion when this Bill came up for consideration, we objected that important matters of principle should be included in the provisions of the Bill and not left to be dealt with by rules to be framed by the Local Government, and that is the principle we have been fighting for. I do not understand how in a matter affecting the interests of such a large section in this Presidency, when we want to make some definite statutory provision we should be asked to settle this matter by means of rules. Why cannot the Act itself provide for some statutory powers to be vested in the committee, so that the committee might not merely represent a particular section or various sections that go to make up the great mass of the people? I cannot understand, my Lord, why this matter should be left to be regulated by the rules to be framed by the Local Government.

Before I sit down I would like the hon'ble member in charge of the Bill to look at this matter from the point of view from which we are looking at it. We are all working towards a common object, and there can be no doubt that we are all anxious that the administration of this Bill should be rendered as successful as possible, and in order to do so we should try to remove all possible causes of friction. We need not speculate whether there is any possibility at any future date of any questions coming up as to which first-hand knowledge of the community directly affected might be of use in the deliberations of the committee. It is for meeting a possible emergency that we want it to be statutorily provided that an adequate number of Muhammadans should be represented on the school committee. I would ask my friend to consider that if he sets his face against a proposition of this character, an impression will be created outside the Council that those who are in charge of the Bill have not given adequate consideration to the interests of a community which forms the majority of the population in the Presidency—interests which deserve consideration at the hands of those who are in charge of an important measure like this. With a view to avoid any misconception of this kind the hon'ble member in charge should accept the amendment. There could be no practical difficulties in carrying out this provision; otherwise a wrong idea would be created in the minds of the people outside this Council. Therefore I submit that on grounds of prudence, expediency and good feeling between all sections of the people, my hon'ble friend would reconsider the position and accept this proposition.

Rai R. C. Pal Bahadur ; Maulvi Abul Kasem ; Babu A. C. Mazumdar ; The President.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I sympathise with the observations that have fallen from the last speaker, but in considering the matter dispassionately I find certain difficulties. Suppose this motion is carried and we are committed to have certain number of Muhammadan members in the school committee. What will happen if there are no Muhammadan residents in a municipality or if there are, they are not fit or willing to serve in the committee? What are we to do in such cases? These difficulties may arise. I am moreover surprised that such a suggestion should come from those who profess themselves to be ardent Home Rulers. It seems they have no confidence in their own countrymen irrespective of nationality. Are all their declarations empty words? Cannot they trust the municipalities for selecting suitable Muhammadans wherever possible or leave it to the Government to make rules in that behalf? I find clause 18 of the Bill contains a provision which will obviate the difficulty. I do not think that there is any necessity for this amendment."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I very much regret that this amendment has not been accepted by the hon'ble member in charge. Even such an amendment which does not fix a number is not accepted by men like the Hon'ble Babu Ambika Charan Mazumdar who would call it delightfully vague and the Hon'ble Rai Radha Charan Pal Bahadur.

The Hon'ble Babu Ambika Charan Mazumdar said :—

"I have said nothing yet."

The Hon'ble Maulvi Abul Kasem said :—

"At least you have not supported it. I say that when members of this Council, leaders of public opinion, are of opinion that Muhammadans should not be adequately represented in the school committee what can my community expect from members of other communities scattered over small rural and urban areas who have got more prejudice and more personal interest to serve than members of this Council? My Lord, it has been said that the matter will be left to Government. But from clause 15 it appears that the Commissioners of municipalities and members of local boards will frame the rules and not the Local Government. We have been asked to look at the question from a broad national point of view. So we do. It is all very well to speak thus from platforms, but when an opportunity comes all these platitudes come to nothing. We know that even from men like the Hon'ble Rai Radha Charan Pal Bahadur we do not get that fair treatment which we are asked to expect from members of the school committee. We have been told that suitable Muhammadans are not available. If we compare the needs of our community with the number of suitable appointments held by Muhammadans we find that there are very many suitable Muhammadans who have been left out. It has been suggested that 'adequate' is a vague term. Well, I am prepared with your Excellency's permission, to modify this amendment so as to read that there should at least be one Muhammadan member. Although this will not fully meet with my wishes, I am still prepared to move it if your Excellency permits me to do so and if it is accepted by the hon'ble member in charge."

The President said :—

"The hon'ble member should have given notice of his amendment beforehand. It is very inconvenient for the hon'ble members of this

Babu S. N. Ray; The President; Babu A. C. Mazumdar; Maulvi A. K. Fazl-ul-Haq.

Council to consider an amendment at the last moment without any opportunity of studying it before. I cannot say that I should be prepared to allow this amendment to be moved at this stage unless the hon'ble member in charge is prepared to accept it."

The Hon'ble Babu Surendra Nath Ray said :—

"I am sorry I cannot accept this amendment."

The President said :—

"In that case I cannot allow the amendment to be moved without proper notice."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I want to make one or two personal observations. My hon'ble friend has complained that Muhammadans do not get fair treatment at the hands of the members of other communities. I would not go into that question, but I would tell him for his information that I come from a district where the sitting Vice-Chairman of the District Board is a Muhammadan elected by a Hindu majority. At the last municipal election the Hindus joined hands with the Muhammadans to return the two Muhammadans who were candidates for municipal seats.

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"May I rise to a point of order, Sir? It is absolutely irrelevant to the point at issue."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"It is not irrelevant. When you throw dirt on other people they must have a right to defend themselves."

The President said :—

"I think it is desirable that the hon'ble member should adduce arguments either for or against the amendment under consideration."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"I have nothing further to add."

The question being put, a division was taken with the following result :—

Ayes—18.

The Hon'ble Mr. R. V. Mansell, O.B.E.
" " " W. H. H. Arden-Wood, C.I.E.
" " " Aminur Rahman.
" " " L. V. N. Meares.
" " Kumar Shib Shekhareswar Ray.
" " Mr. Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " " W. E. Crum, O.B.E.
" " " W. H. Phelps.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Mr. Altaf Ali.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" Babu Kishori Mohan Chaudhuri.

Noes—21.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " the Maharajadhiraja Bahadur of Burdwan
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " " C. J. Stevenson-Moore, C.V.O.
" " " F. C. French, C.S.I.
" " " J. Donald, C.I.E.
" " " L. S. S. O'Malley, C.I.E.
" " " H. P. Duval.
" " " M. C. McAlpin.
" " " F. A. A. Cowley.
" " Colonel J. K. Close, M.D., I.M.S.
" " Mr. W. C. Wordsworth.
" " " C. F. Payne.
" " " S. G. Hart.
" Khan Bahadur Maulvi Aminul Islam.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " " Nilratan Sarkar, Kt.
" " Raja Hrishikesh Laha, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Babu Surendra Nath Ray.

The following members abstained from voting :—

The Hon'ble Mr. Provash Chunder Mitter, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " " Radha Charan Pal Bahadur.
" " Babu Ambika Charan Mazumdar.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. G. A. Bayley.
" " " H. R. A. Irwin, C.I.E.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.

The Ayes being 18 and the Noes 21, the motion was lost.

AFTER LUNCH.

LIST OF BUSINESS—ITEM No. 22.

The following motion which stood in the name of the Hon'ble Babu Kishori Mohan Chaudhuri, was by leave of the President, withdrawn :—

That after the word "Municipality" in line 4 of sub-clause (*1*) of clause 17 the following be inserted, namely :—

"for boys referred to in clause (*a*) of section 3".

LIST OF BUSINESS—ITEM No. 23.

The Hon'ble Rai Radha Charan Pal Bahadur moved that after the words "the Commissioners may" in line 4 of sub-clause (*1*) of clause 17 the following be inserted, namely :—

"after making an application under section 6, sub-section (*1*), and".

He said :—

"My Lord, my object is that an application must be made under section 6 (*1*), *i.e.*, the imposition of the cess should be made after an application is made by the Commissioners to the Local Government for the introduction of compulsory primary education within their area. My amendment seeks to fix the time and certain conditions under which the municipality will be entitled to levy a cess. In the original Bill the education cess was proposed to be levied only for the purpose of compulsory education, but in the amended Bill the cess is proposed to be levied for the purpose of financing voluntary education as well. At the last meeting when the Bill was considered some amendments were brought forward with the object of making the imposition of the cess dependent on the introduction of compulsory education. These amendments were lost. The present amendment is midway between the provisions as made in the original Bill and those as amended by the Select Committee. It will not bar the cess being levied before the introduction of compulsion as it lays down that the cess may be imposed only after sufficient progress has been made under the scheme of

voluntary education and after an application has been made by the municipality to the Local Government for permission to introduce compulsory education within their area. My Lord, a similar provision exists in the Bombay Act, the Punjab Act, the Bihar and Orissa Act and in the United Provinces Bill and in none of these measures an education cess is contemplated without the introduction of compulsion. It would be rather a complete innovation to sweep away all safeguards and to retain the present provisions, and what I seek to introduce is this : that before an education cess is levied there must be some progress of primary education at its voluntary stage which would justify the imposition of an education cess preparatory to the introduction of compulsory education. I hope that this suggestion will be favourably considered by Government, for it will dispel the impression, which has at present been unfortunately created, that it is merely a taxing measure, and is really not for attaining the object which the framers of the Bill have in view. It would not bar any municipality in imposing an education cess for voluntary purposes as well, but I think it should not be levied at the initial stage, and it should be levied only after some progress has been made in voluntary education within the municipality. I seek to introduce this amendment with a view to reassure the public mind on the subject."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I cannot accept this amendment of my hon'ble friend. Under this amendment a municipality would be enabled to impose an education cess only after having made an application to Government for permission to introduce compulsory education made under Part III, but before actual introduction of compulsion. The cess will be available for expenditure on voluntary education as well, but this amendment marks a stage when alone can such cess be imposed—a stage when a municipality is seriously thinking of introducing compulsion. For these reasons I cannot accept the amendment."

The Hon'ble Mr. Wordsworth said :—

"My Lord, I had no wish to speak on this amendment, but the hon'ble mover has stated his wish to hear what the representative of Government has to say and therefore I shall say only a few words. The Bill as it stands allows those in charge of education in the municipalities which accept the Bill to impose a cess or not at their discretion. It allows them to impose the cess at any stage of progress, and the hon'ble mover is less generous than the Bill in that he seeks to limit their power and to force them to impose the cess only at the stage when and if they contemplate the introduction of compulsory education. We have already debated this point in several amendments this morning, and I think the attitude of Government is sufficiently clear to the Council already. I am unable on behalf of Government to recommend to the Council the acceptance of this amendment.

The hon'ble mover has referred to various other Bills—the Bihar and Orissa, the Punjab and other Education Bills of a like nature. The reference really does not carry us any further. These Bills, like our own, are experimental : they have only just been introduced and we do not know what degree of success they are likely to attain. We cannot obtain any guidance from the experience of other provinces in this respect. We have our own problems, we have made our own progress, and we have to frame our own legislation in relation to our own conditions as we interpret them. I am therefore unable to recommend the acceptance of this amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, with reference to the remark of the Hon'ble Mr. Wordsworth about the provision in other Bills of other legislatures, I may point out that the provision in the other Acts goes much further than what I have suggested. For instance, in the Bihar and Orissa Act it is stated that the imposition of the cess shall only be permissible after compulsory education has been introduced. This is a condition precedent to the imposition of the education cess in other provinces. What I seek to introduce is this condition. After an application has been made to Government by the municipality for the introduction of compulsory education within their area the Commissioners may impose an education cess. I do not think that this will in any way hamper the municipality. It may be said that the municipality will not be able to impose an education cess from the very beginning, but that is not, I believe, the object of the framers of the Bill; that from the beginning before any progress has been made in connection with primary education that an education cess will be levied. I think there must be some justification to show that the education cess should be levied in any area by proving that some progress has been made in voluntary education there, and therefore I think that the addition of these words to the clause will greatly reassure the public mind."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 24.

The following motion which stood in the name of the Hon'ble BABU KISHORI MOHAN CHAUDHURI was, by leave of the President, withdrawn :—

That for the words "and all amounts derived therefrom shall be devoted solely to the purposes of primary education, whether voluntary or compulsory, within the municipality" in lines 6 to 9 of sub-clause (*1*) of clause 17, the words "for the purpose" be substituted.

LIST OF BUSINESS—ITEM No. 25.

The Hon'ble Babu Akhil Chandra Datta moved that at the end of sub-clause (*1*) of clause 17 the following be added, namely :—

"provided that not less than 80 *per cent.* of the amounts so derived shall be devoted to compulsory primary education."

He said :—

"My Lord, after seeing the fate of the other amendments I think I would rather withdraw this amendment."

The motion was, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 26.

The Hon'ble Rai Radha Charan Pal Bahadur moved that after the word "purpose" in line 3 of sub-clause (*2*) of clause 17 the following be inserted, namely :—

"and confirmed at a subsequent special meeting."

Babu S. N. Ray; Rai R. C. Pal Bahadur; Babu A. C. Mazumdar.

He said :—

"My Lord, this is merely a formal amendment and what I want to do is to add the words 'and confirmed at a subsequent special meeting' after the word 'purpose' in line 3 of clause 17 (*2*). I think that is the usual procedure followed everywhere, and I hope it may be accepted by the hon'ble member in charge of the Bill."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I do not think that I can accept this amendment. It will amount to this—that the proceedings will have to be confirmed by a two-thirds majority. That being the case, I do not think I can accept this amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"There is some misapprehension, my Lord : the two-thirds majority is not for the confirmation of a resolution : it is for the passing of a resolution that the two-thirds majority is proposed. It is not here in the Bill."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 27.

The Hon'ble Rai Radha Charan Pal Bahadur moved that for the words "a majority of the total number of" in line 4 of sub-clause (*2*) of clause 17 the words "two-thirds of the" be substituted.

He said :—

"My Lord, in connection with the provisions in this section, my hon'ble friend, Kumar Shib Shekhareswar Ray, asked for a three-fourths majority of the Commissioners. That was not accepted in this House, but subsequently a suggestion was made, although there was no formal motion, that two-thirds majority might be substituted, and that was in the original Bill, and, as far as I remember, the hon'ble member in charge of the Bill said that if that was formally moved he was prepared to accept it. Following the hint that was given by him, I have given notice of this motion."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I have great pleasure in accepting this amendment."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 28.

The Hon'ble Babu Ambika Charan Mazumdar moved that at the end of sub-clause (*3*) of clause 17 the following be added, namely :—

> "and the cess so levied shall be a rate amounting to the sum required, after deducting the Government grant, the school receipts and the receipts from endowments and contributions, to meet the expenditure on primary education, together with ten *per cent.* above such sum to meet the collection charges and the probable losses due to non-realization from defaulters."

He said :—

"My Lord, at an earlier stage of this Bill I tried to have an amendment accepted which purported to lay down certain principles to indicate the incidence of taxation. That was lost. Here I beg to move that there ought to be some indication as to the amount which should actually be levied from the rate-payers. Now it may be argued that in an earlier clause we have it laid down that no portion of the education cess shall be spent on any other matter. My Lord, if I could have persuaded myself to think that this clause is quite sufficient to safeguard the interests of primary education, I would not feel myself pressed to move this amendment, but unfortunately I am not so inclined to think. There are provisions of this nature in other enactments. In the Local Self-Government Act and in the Road Cess Act there are provisions that the road cess should be used for the purpose of improving communications within the district, and yet we know that for many many years the road cess was diverted to other purposes. In the present Bengal Municipal Act there is a section which says that the latrine rate levied under Part IX of the Bengal Muncipal Act cannot be used for any purpose except that of improving the conservancy. But in spite of that we know that many municiplities are guilty of having diverted a portion of this rate to other purposes. Therefore I think that besides the provision which we have already got in this Bill, viz. that the education cess shall not be spent for any other purpose, some other safeguard is necessary, and therefore I want to have it laid down that the cess levied shall be the amount required, after deducting the Government grant, the school receipts, contributions and endowments, to meet the expenditure on primary education, *plus* 10 per cent. to meet the collection charges and the probable losses due to non-realization from defaulters. This would sufficiently safeguard the interest of primary education, because if we proceed on these lines there will be very little left to be diverted to any other purpose.

My Lord, in framing this amendment I take my stand upon a similar provision made in Sir Henry Wheeler's Village Self-Government Bill. There also the same safeguard has been taken. There it has been said that the amount levied must be the residue of what is required for the purposes of union boards and so forth, after deducting the Government grant and other things, and in this case also I propose the same safeguard. In clause 17(*3*) it is laid down that the education cess shall be levied according to the rules framed by Government and what my amendment seeks to do is to add that the cess so levied shall be a rate amounting only to the sum required, after deducting the Government grant, the school receipts, endowments and contributions, if any, to meet the expenditure on primary education, together with a sum of 10 *per cent.* to meet the collection charges and the probable losses due to non-realization from defaulters. So that we shall have a consolidated amount required exactly for primary education which it will not be possible for any municipality to divert to any other purpose. I have said that I have taken this from another cognate subject and I believe it will meet with the acceptance of the Council."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I accept this amendment."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 29.

The Hon'ble Babu Ambika Charan Mazumdar also moved that after the word "inspection" in line 4 of clause 19 the words "free of any charge" be inserted.

Babu S. N. Ray; Mr. O'Malley; Babu A. C. Mazumdar; Rai R. C. Pal Bahadur: The President.

He said :—

"My Lord, this is a very simple thing. It is laid down in this clause that the schools shall be subject to inspection by officers of the Education Department. We welcome their assistance, but it should be free of any charge. If the municipalities have to contribute it will be an additional burden to them as well as to the rate-payers. I think Government officers who will inspect will only be too glad to inspect them free of charge."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I accept this amendment."

The Hon'ble Mr. O'Malley said :—

"My Lord, I may explain that the inspecting officers of the department do not charge for inspecting private schools and there is no intention on the part of Government that they should charge for it. The amendment argues, if I am permitted to say, a certain misconstruction of the intention of Government. The idea seems to be that it is possible that Government may charge for such inspection, but as there is no such intention Government will have no objection to accepting the amendment."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 30.

The following motion which stood in the name of the Hon'ble Babu Ambica Charan Mazumdar being covered by the debate on items Nos. 5 and 6 was held to be withdrawn:—

That after the words "Education Department" in lines 4 and 5 of clause 19 the words "or the Education Board, if any," be inserted.

LIST OF BUSINESS—ITEM No. 31.

The following motion stood in the name of the Hon'ble Rai Radha Charan Pal Bahadur namely :—

That after clause 21 the following be inserted, namely :—

"22. The Local Government may delegate their powers and duties under this Act to a Board of Education which may be constituted for the control and guidance of primary education."

The President said :—

"The Council decided this morning that the question of Education Board should not be introduced in the Bill. The new clause proposes to do what the Hon'ble Babu Ambika Charan Mazumdar proposed to do by an amendment to an earlier clause. The Council has already come to a decision on that point, and unless the hon'ble member can show me that the object of his new clause is different to the object of the amendment which has already been disposed of, it will not be in order for him to move it."

Rai R. C. Pal Bahadur; The President; Babu S. N. Ray.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I may be permitted to explain, my Lord, that this is a different amendment. The amendment of the Hon'ble Babu Ambika Charan Mazumda was to substitute 'Education Board' for 'Education Department' but her this is a new clause to empower the Local Government to delegate the powers and duties to a Board of Education which may be constituted for th direction and control of primary education."

The President said :—

"That is precisely the same proposal that was made by the Hon'ble Bab Ambika Charan Mazumdar. If the hon'ble member will look back to ite No. 5 on the agenda paper, he will see that that amendment was to inse after the words 'Education Department' the words 'or the Education Boar if any'. That seems to me to be precisely the same proposal that the hon'bl member now wishes to make."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I respectfully submit to your Excellency's ruling."

LIST OF BUSINESS—ITEM No. 32.

The following motion, which stood in the name of the Hon'ble Bab Surendra Nath Ray, was not made as no amendments were carried in Counc necessitating any renumbering namely :—

"That the Secretary be directed to renumber the clauses and sub-clause of the Bill in consecutive order and to make corresponding alterations in a cross-references thereto."

LIST OF BUSINESS—ITEM No. 33.

The Hon'ble Babu Surendra Nath Ray moved that the Bill as amende by the Council on the 18th and 19th February, 1919, and as settled by th Council on the 27th March, 1919, be passed.

He said :—

"My Lord, I am grateful to your lordship for the kind reference to m work in this connection in the Social Service Exhibition at Dacca. I hav always been a believer in the great future that is before us and I sincerel believe that the salvation of India will be by the spread of education, by th development of its industries, and by a more perfect system of sanitation. Fo centuries the country was immersed in Cimmerian darkness, without hop without light, till the sun of western culture and western civilisation bega to dispel the gloom. All this we owe to British administration. But th work has not finished. I would say that the real work of regeneration ha only begun, and it is the duty of Government to crown it with success. need not repeat what I have already said that without substantial aid fro Government this measure of primary education, whether it be on a voluntar or on a compulsory basis, will be unsuccessful If the objects aimed at i fostering elementary education are the provision of facilities within easy reac of every child and the continuation of the child's education to the stage a which he may be regarded as permanently literate, Government help i essential. In the seventh Quinquennial Review of the Progress of Educatio

in India, 1912-17, just published by the Government of India, it is admitted that it is unlikely that the local rates, even if boards elect substantially to enhance their taxation, will suffice unless supplemented by Government funds.

My Lord, in your own country the movement towards popular education received a great impulse from the Educational Conference held in 1857 under the presidency of Prince Consort, and culminated in a statute in 1870 by which it was enacted that there shall be provided for every school district a sufficient amount of accommodation in public elementary schools available for all the children resident in such district, for whose elementary education sufficient and suitable provision is not otherwise made. Whether the present Bill when passed into law will have the same effect in this country as the Act of 1870 in England is yet to be seen. All I can say is that the people of this country appreciate the enlightenment of education more than anything else, but if they are unable to pay for such education, it is entirely due to their extreme poverty. What President Jefferson said more than a hundred years ago, is true for all time. 'I look,' he said, 'to the diffusion of light and education as the resources most to be relied on for ameliorating the condition, promoting the virtue, and advancing the happiness of men and I do hope, in the present spirit of extending to the great mass of mankind the blessings of instruction, I see a great prospect of great advancement in the happiness of the human race and this may proceed to an indefinite although not an infinite degree.' I am sure, my Lord, that these words will find an echo in every heart that is animated with the desire of promoting and advancing the peace and happiness of individuals and through them of nations."

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 34.

RESOLUTIONS.

(*Under the rules for the discussion of matters of general public interest.*)

The following resolution stood in the name of the **Hon'ble Mr. Provash Chunder Mitter** :—

This Council recommends to the Governor in Council that inquiries be made in the year 1919-20 with a view to establish more medical schools in the province beginning from the year 1920-21.

He said :—"The Council will remember that at the last sitting this question was discussed thoroughly and the Hon'ble Sir Henry Wheeler, on behalf, assured the Council that the object of this resolution would receive sympathetic consideration at the hands of Government. That being so, my Lord, I would ask your Excellency's permission to withdraw it."

The resolution was, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 35.

The Hon'ble Mr. Provash Chunder Mitter moved the following resolution :—

This Council recommends to the Governor in Council that investigations be made during the year 1919-20 in order to ascertain the possibilities of increasing the income of the Government of Bengal by the development of the natural resources of the Province.

Mr. P. C. Mitter.

He said :—

"My Lord, before I go into the merits of this resolution, I desire to offer certain preliminary remarks. In the first place I should like to preface my remarks by saying that I do not intend to deal with the possibilities of increasing the income of Government by the development of the natural resources of the Province exhaustively. I would leave it to Government to find out by proper enquiries and investigations the various points on which such increase may be possible. My principal object in bringing forward this resolution is to draw the attention of Government to the possibilities; but my knowledge is necessarily limited. I daresay the Government, with the knowledge and opportunities at their disposal, will be able to investigate the matter thoroughly. The second point which I should like to state at the outset is this:—I do not intend that Government should trench upon vested rights or vested interests. The last preliminary remark that I desire to make is that in view of the necessities of education, sanitation and various other things which will be necessary in the near future for the Government to undertake and in view also of the increased expenses which the reforms are sure to entail, it is necessary to find out how far the income of the State can be increased without additional taxation. The question of additional taxation ought to come after we have exhausted these possibilities. At any rate these possibilities ought to be enquired into fully. My Lord, with these preliminary remarks as I shall proceed to make some definite suggestions but shall confine my remarks on the following heads :—*first* as to the possibilities of increasing our resources by the development of our forests; *secondly*, as to the possibilities of increasing our resources by the development of our fisheries and, lastly, the possibilities of increasing our resources by the development of the cinchona estates of the Government.

As regards forests, my lord, your Excellency's Government knows very well that there are 6,803,367 acres of forest area in Bengal or in other words, 10,630 square miles of forest area. This means that about 13 per cent. of the total area of the Province of Bengal is forest land. The actual net income from this large area is a little over 6 lakhs of rupees or little over 1 anna 4 pies per square acre. These figures show that the income derived from the forest area in Bengal is low considering the demands of the population. It is hardly necessary for me to point out that in trying to get an increased income from forest areas the future must be kept in view. It is essential to preserve the forests with an eye to the future, but paying all possible attention to the necessities of forest preservation, I believe enquiries properly conducted will show that our forests in Bengal are capable of yielding much larger revenue. I believe a fair improvement in revenue as well as conservation are only possible if more money be available for the development and conservation of forest. I have no doubt the Government in the past was fully alive to a general sense of necessities of this department, but the Government had so many important calls on their finance that it was perhaps difficult for the Government in the past to have undertaken a constructive programme for the development of our forest resources. With these general observations I proceed to indicate some special suggestions regarding points of enquiry.

Of the ten thousand and odd square miles only about 4,800 square miles are reserved forest. The Chittagong Hill Tracts consisting of about 4,000 square miles is still an unclassed State forest. I believe enquiries will show, and so far as my information goes it is admitted by the department, that the Chittagong Hill Tracts consist of a very valuable forest area. If this area is properly surveyed from the point of view of forest officials and if this area be protected and facilities of transport are provided for, I believe improvements in revenue will follow. Besides, this unclassed forest area of 4,000 and

odd square miles we have still more than 1,700 square miles of protected forest, bulk of which is in the Sundarbans. With regard to all classes of forest areas, reserved, protected or unclassed, facilities of transport and suitable increase in the staff of forest officials is likely to result in improved finances. I do not know if it will be possible for our Provincial Government to provide money for these purposes. If money be not available from the Provincial Budget, even if money has to be borrowed or otherwise arranged for from the Imperial Government and even if some reasonable interest were to be paid on the amount so borrowed, I believe enquiries will show that the future revenue from forest areas will increase by a very fair amount. Bengal is a thickly populated Province and with proper facilities of transport and with better organisation forest produce are likely to sell more advantageously than at present. In my suggested enquiry the possibilities of utilising hydro-electric power may also be kept in view. A careful survey of forest produce, including medicinal and other useful plants to be found in our forest and a more thorough publication of the results of such surveys are likely to produce better results. Without enquiries it is not possible to say what sums can be usefully spent in improving facilities for transport and providing for better survey. If I assume merely by way of illustration that 50 lakhs will be necessary, the interest on that sum will be less than 3 lakhs a year. I am sure the increased revenue will be several times 3 lakhs. The total area of the reserved forest (if Chittagong Hill Tracts be surveyed and reserved) will be very nearly double and under ordinary circumstances the income also will be very nearly double. The gross income is about 12 lakhs. Of course from this gross income something ought to be deducted for increased expenditure. Facilities of transport will also produce increased income. I should not be surprised that if half-a-crore of rupees be laid on the lines indicated above, our future net forest revenue will be somewhere between 20 to 30 lakhs instead of 6 lakhs as at present.

Bengal abounds in rivers and estuaries. I am aware that most of the smaller rivers and a good portion of the bigger rivers in their upper-reaches form part of permanent-settled estates, but the estuarine portions of our big and small rivers contain very valuable fisheries which at the present moment yield very little to the Government, partly because of want of facilities of transport and partly because of want of organisation. The Sundarbans alone cover an area of about 5,700 square miles. Comparison of price of fish in the estuarine fisheries of Sundarbans with the Calcutta market will show that the difference in price is very great indeed. Enquiries may be instituted as to whether facilities of transport or establishment of stations for buying and preserving fish will produce better results. The general position is such that with proper investigations and with proper organisation money laid out in developing fisheries in rivers and estuaries which belong to the Government will produce very satisfactory results. As in the case of forest so in the case of fisheries it may be necessary to spend a fairly large sum of money, say between quarter to half-a-crore of rupees and that money can only be available to our Provincial Government by a loan from the Imperial Government, yet that money if properly laid out is sure to bring in a large revenue in the future. Enquiries may also be made about the establishment of refrigerating plants specially in the estuarine Sundarban areas where salt water is easily available. I do not suggest that the Government should enter into the fishery trade, but what I say is that the Government should take proper steps to increase the value of its fishery estates, and if suitable steps are taken I believe the Government will get a large income from the rivers which belong to the Government.

Cinchona cultivation brings in an appreciable income to Bengal. Paragraph 7 at page 3 of the Report of the Government Cinchona Plantations and Factory in Bengal (1917-18) will show that the total receipts amounted to over

20 lakhs and paragraph 8 will show that the value of the stock is over 18 lakhs. Of course this income was above the ordinary and was largely due to war conditions, but the average income in ordinary times is not negligible considering that the net provincial income is only a little over 6 crores of rupees. The answer given by Hon'ble Mr. McAlpin, No. 36, page 276 of the *Calcutta Gazette* of 12th December 1918, will show that cinchona plantation has been further extended. The income from cinchona will therefore be higher in the near future. To a malaria-ridden province like Bengal cinchona cultivation is of special importance. I am aware that it is asserted that no further land is available for extension of cinchona cultivation. The opinion of those who assert this are entitled to great weight, but I would appeal to the hon'ble members of the Government to consider the following points :—The present area of the two plantations in the district of Darjeeling is comparatively small. The Mungpoo Plantations (in two divisions) contain less than 500 acres and the Munsong Plantations (in four divisions) contain only about 2,100 acres. Most of these divisions consist only of a few square acres of land. The extension by a few more square acres will mean a considerable increase in the total area. Is it possible that land which is suitable for cinchona up to a particular point will suddenly become unsuitable say 100 yards beyond that point ? Further, is it likely that these few square acres spread over six divisions are the only favoured spots in the district of Darjeeling where cinchona can be grown ? 2,500 square acres mean only about 4 square miles. These 4 square miles are again divided into six divisions. If it were possible to extend cinchona cultivation from 4 square miles to say 20 to 25 square miles in various divisions, then the income from this head alone will perhaps be more than half-a-crore of rupees.

I have only indicated certain points which have struck me. I would suggest that the Government should frame certain definite questions on my resolution and circulate the same to its own officers in the various districts and to selected men all over the Province. Such other enquiries as the Government deems suitable should also be made. But above all, what is most necessary is that the result of the enquiries should be properly utilised."

The Hon'ble Sir Henry Wheeler said :—

" My Lord, a resolution of this kind is naturally one which appeals to the cupidity of the Finance Department, and I have not the slightest objection to accepting it ; but in so doing, I would like to safeguard myself from the possible charge hereafter that I have given the impression that the Finance Department will be able to work miracles or discover *El Dorados* which have hitherto been withheld from our ken. That I do not think is likely ; and I do not wish it to be thought that there is a probability of our entering upon a *règime* of affluence, sufficient to supply not only our present, but our increasing, needs without the inconvenient necessity of encroaching in any way upon the pockets of the tax-payer. So golden a future is not likely to be realised ; but in so far as the resolution asks us to make investigations and enquiries, I shall be glad to enquire into the three specific points which the hon'ble member has brought forward and into any others which may suggest themselves to anyone else. Of course, it can be said, and it can be said accurately, that the resolution is only asking us to do what we already do. There was a time when the whole revenues of India were more or less centralised in the Government of India : the local Governments had no independent power of expenditure and had to go up to the Government of India for everything which they wished to do. At that time it might have been said that it did not much matter to the local Government what happened to its natural resources, but that system broke down in the course of the development of the country, to be replaced by our present financial system which

Sir Henry Wheeler.

in brief, rests on the devolution of certain functions to local Governments by the Government of India along with various fixed assignments of revenue and assignments of heads of growing revenue, either in whole or part, from which these functions are financed : and although in the days of the quinquennial settlements it might still have been said that the interest of the local Government in husbanding its resources was blunted by the fact that it was apt to lose the benefits of economies and developments on the occasion of the next re-settlement, yet that also is no longer true now that we have *quasi*-permanent, and, finally, more or less permanent settlements of revenue as between the provinces and the Government of India. So it has for some time past been to the interest of a provincial Government to develop its heads of revenue, since to the extent that it shows diligence in so doing it adds to its profits, and I think I may claim that the point has received attention from our predecessors in this province as elsewhere. In connection with the Commercial Departments of Government such as Forests, etc., hon'ble members must have seen constant references in resolutions, etc., to the desirability of Government deriving from its properties the utmost profit which is legitimately due to it, and the success and efficiency of the head of the department is judged, among other considerations, by the extent to which he is able to achieve that result. But, as I have said, I am perfectly willing to examine any directions in which *primâ facie* there may be possibility of doing more.

It may also be said that to some extent a resolution of this kind is at the present moment premature, in so far as our financial future is in a state of some uncertainty. I have outlined the scheme of financial settlements by which we have hitherto been governed, but, as we all know, the Reforms Scheme has foreshadowed a definite separation of revenue as between Imperial and Provincial, under which we shall be given various definite heads and more extended powers of taxation ; but as we stand to-day, we do not exactly know what the details of that division will be, or what our precise powers of taxation will be ; and it can, therefore, be argued that it is useless to enter upon a detailed examination of what the resources of the province may in future years produce.

I think both these criticisms are valid to some extent, *namely*, that the resolution is not asking us to do anything particularly new, while it is asking us to make detailed enquiries which are complicated by the uncertainty of the financial future ; but I do not wish to ride off the resolution on these two grounds, and we will do our best to meet the wishes of the hon'ble member, within the limitations to which I have already made reference. When the hon'ble member suggests to us in the Finance Department that without encroaching on vested rights and vested interests, and without resort to taxation, we should increase the income of the State, I cannot but think that he is setting us a task which the boldest financier in the world would be rather shy of accepting. I do not see any prospect of the financial needs of this province being met in the future—assuming that it is the wish of the province to advance on more rapid lines in certain directions than has been the case in the past—if the two limitations of the hon'ble member are insisted upon. However, for our present purposes, we accept them ; and I do not understand him to be offering his resolution as a final solution of our financial difficulties. In fact, he himself restricts it by the reference to the development of natural resources only, and he has practically restricted it still further by mentioning only the three heads of Forests, Fisheries and Cinchona. On these three detailed points, my friend the Hon'ble Mr. Cumming, in whose department they particularly fall, will have some remarks to make, and I will not anticipate him beyond saying that I doubt whether any of the three is of great financial importance except that of

Forests. Even in respect of Forests when we look at the figures as reproduced in the budget we find that we derived in the past the following gross revenue, viz.: Rs. 11 lakhs in 1915-16. Rs. 13 lakhs in 1916-17, Rs. 13¾ lakhs in 1917-18 and Rs. 18 lakhs in the Revised Estimate of 1918-19 due, of course, largely to the war, the end of which is reflected in the fall in the budget of the current year to Rs. 16 lakhs. When we look at these figures, we cannot but feel that there is a long long trail before us before we get anything like the Rs. 20 or 30 lakhs of net revenue which the Hon'ble Member has foreshadowed. But we will hear from Mr. Cumming what has been done in the past, and if there is any prospect of doing more in the future we will attempt it.

Apart from the three heads mentioned by the Hon'ble Member, I do not know what he would regard as coming within the definition of natural resources. Thus, Land Revenue is a natural resource, though I daresay the Hon'ble Member would at once tell me that its discussion trespassed upon vested interests. Stamps is not, I suppose, a natural resource: Excise might be argued to be so, though I fancy that other Hon'ble Members would tell me that our progress under Excise is already sufficiently rapid to satisfy even the most rapacious Finance Member. Income-tax is certainly not a natural resource, neither are Registration, and Law and Justice. Jail manufactures might be argued to be so; as also the resources of our Ports, yet we know the demands for expenditure on our Ports are likely to exceed in the immediate future any increased receipts which they may bring in. Apart from that there is the Miscellaneous head, under which Fisheries and Cinchona fall, and we have Public Works, covering our irrigation canals and navigable channels. I believe schemes are already being elaborated for the further improvement and utilization of our water-ways, which will bring in a larger income, but we can direct the attention of the Public Works Department to them and examine what they have to say. But I rather wish the Hon'ble Member could give us more light as a guide to our enquiries. When the stage conjurer produces an unlimited quantity of paper from a hat or a rabbit from his left boot, we may be fairly certain that he put it there beforehand while the attention of the spectators was otherwise engaged. I rather feel that the Hon'ble Mr. Mitter is handing me a hat without placing many things in it or even telling me where I can find them, whereas he expects me to produce abundant gifts for the amazement of the audience. However, we will do our best and will try to work out these and any further suggestions that any other Hon'ble Member may wish to offer us."

The Hon'ble Mr. Cumming said:—

"My Lord, the financial aspect of the resolution of the Hon'ble Mr. P. C. Mitter has been dealt with by my hon'ble colleague, Sir Henry Wheeler, but it would perhaps be convenient if I were now to place before the Council some information regarding the economic aspect. The subjects which were particularly mentioned were Forests, Fisheries and Cinchona, and with these I am the more directly connected. I may say at the outset that we welcome the ventilation of suggestions of this kind; but I hope I may be able to show that in all these three cases Government have to a considerable extent anticipated the enquiries for which the Hon'ble Member has asked.

As regards the first subject of Forests, no doubt the Hon'ble Member's main proposition can be accepted by every one, namely, that by increased and prudent expenditure there would be remunerative results. That has been said by many great men who knew the resources of India with reference to India's forest assets; and last year I had occasion to draw attention to the matter. The Hon'ble Member has pointed out in particular that in Bengal by increased facilities of transport and by increase of staff some effective results might be obtained. But one thing must be remembered in

this connection. The Forest Department in India is after all not a very old department, and its primary object has been the conservation of forests. Indeed, the very terms we use in the department indicate this. The Head of the Department is called Conservator and his officers are called Deputy Conservators and Assistant Conservators. But at the same time Government now-a-days cannot but be alive to the necessity of systematic and prudent exploitation coincidently with conservation. There are many difficulties, first of money, and then of men : during the last few years, the cadre in the department has been depleted. Nevertheless, we have been able to do something definite. During last year we made one very important enquiry ; and we made two very important appointments. The enquiry was to the following effect,—to enquire into the trade requirements of forest products and the possibility of supplying them ; and was made in direct consultation with the Director of Industries. The gentleman, who was appointed to make that enquiry, was a very competent officer, who had experience of what has been done in America ; and he furnished Government with an excellent set of suggestions. Those suggestions have been followed up by the appointment of an officer under the title of *Forest Utilization Officer* who has to work in direct co-operation with our Director of Industries. I need not elaborate what the special duties of this officer are, but they include the marketing of timbers and the examination of the special needs of industries that require wood. Quite apart from timber the work of the officer includes the examination of tan-stuffs and the question of the supply of material for the manufacture of paper. That, Sir, is a very important appointment. We have followed the example of the United Provinces Government and we have obtained a very suitable officer for the purpose. There has also been another appointment. The hon'ble mover has drawn attention to the Chittagong Hill Tracts. In that area an officer has been specially appointed as a *Working Plan Officer* for the commercial development of that area. He will make a survey of the nature which the Hon'ble Member has mentioned ; and his duties will include the exploitation of the local timbers and of such forest products as are found there, such as bamboo and grass. Therefore, I suggest that, to a considerable extent, Government have anticipated the Hon'ble Member in making these enquiries ; but I do not for a moment suggest that that is everything or that Government will now become supine. He may take it that we are alive to the commercial possibilities of our forests in addition to our duties as conservators.

The next subject on which I may shortly dilate is Fisheries. Here the prospects are not so good, and possibly there is some misapprehension on the point. The Hon'ble Member has drawn attention to Government fishery leases ; but the amount of money that Government derive from fisheries in this province is comparatively small. For half a century—I have studied the papers as far as 1860—Government have endeavoured to assert the rights which they had lost, or to which they thought they were entitled. Let me explain very shortly that after all Government cannot own very much in the way of fisheries. In the inland tracts, fisheries are the property principally of zemindars under the Permanent Settlement. In the Bay of Bengal outside the 3-mile limit, the fisheries belong to the world. In tidal waters fisheries are the property of the public, but Government are the trustees of the public. I have found that the cases in which Government can or should re-assert its ownership are comparatively few and that the subject is a very difficult one. Quite recently, however, a fresh enquiry in the matter has been instituted. What the result may be I cannot at present say ; but, from what I have said, it will be gathered that Government are alive to the possibility of expanding their revenue under this head. As regards the fisheries which are leased by Government,—technically called *jalkars*,—definite instructions were given in 1916. When any of these leases come to an end there is to be a reconsideration (*i*) as to whether they should be placed in the hands of the Department of Fisheries, (*ii*) as to whether particular fisheries should be placed in

the hands of Co-operative Societies ; and (*iii*) as to whether the lease should contain new and more drastic terms. I find that my predecessor, the Hon'ble Sir Nicholas Beatson Bell, recorded—and I am fully in agreement with him—that the object of Government throughout has not been so much the increase of revenue under this head, to which the Hon'ble Member is directing our attention to-day, as the protection of fish, that is to say, the protection of fish in the close season and the prevention of the improper destruction of fry, and also the protection of fishermen who are undoubtedly oppressed by the middlemen in this province. So much for fisheries.

As regards Cinchona, the prospects are still less attractive. It is true as the Hon'ble Member has said that, here in Bengal with its vast area, the total area under cinchona is roughly 4 square miles in two plantations in the Darjeeling district. He may take it from me that if there had been any opportunity of making any great increase in revenue from this source, action would have been taken before now. He says—is it not possible to extend the cultivation beyond the few favoured spots where it is cultivated at present? I have visited the Sarail Cinchona estate in Bengal ; and can give an answer. Cinchona is undoubtedly a very difficult plant to cultivate. It requires a special combination of soil, altitude, temperature, aspect and rainfall ; and our expert, who is recognized as an expert authority not only in this country but in other countries, advises us that opportunities for extension in the Darjeeling district are extremely few. Hence the increase of revenue, to which the Hon'ble Member looks forward under this head, is very small indeed. In accordance with the instructions of the Government of India issued two years ago, a very elaborate investigation was made in every part of India and Burma where cinchona could possibly be grown. The results of that investigation are at present before the Government of India ; and we await the final decision of the Imperial Government on the subject.

Therefore, my Lord, with reference to the three points which the Hon'ble Member has mentioned in particular, I may say that as regards Forests there is undoubtedly a possibility of some increase of revenue. Under the head Fisheries, there is a possibility of a small increase of revenue, and as regards Cinchona there is practically no possibility.

As regards the other heads, to which Sir Henry Wheeler has drawn attention, I need perhaps mention only the head of the improvement of our water ways, especially on the main route between Eastern Bengal and Western Bengal. The Madaripur Bhil route has proved wonderfully successful : it is likely to give us a remunerative return for our money, and by expenditure of more money we hope to get a still larger return. I suggest that this is a development of our natural resources which will give an increase of revenue to the province ; but, as regards the other three heads, I have already stated what the existing facts are and have shown that we have, to some extent, anticipated the Hon'ble Member in his desire for an enquiry."

The Hon'ble Mr. P. C. Mitter said :—

" I am thankful to the Hon'ble Members who have replied on behalf of Government for their sympathic reply and for the acceptance of my resolution. My Lord, it is admitted that the appointment of a special officer has been productive of very good results. That proves that there existed a considerable field for improvement in this direction during the last half a century or so. But that no steps towards that direction were taken until very recently. This shows that improvements were possible though not undertaken for a considerable time. In spite of the Hon'ble Mr. Cumming's assurance, I venture to express my doubt that the income under " Forests " has reached its maximum limit. There is room for further improvement. If

Maulvi Abul Kasem.

the reserve area is more than doubled, and that doubling includes valuable forests, then there is every likelihood of the income being increased to Rs. 20 or 30 lakhs. The Hon'ble Mr. Cumming has given us certain figures. These figures undoubtedly show that the forest income has increased in the past and is capable of further increase, though it is a fact that the increase in recent years is due more on account of the war than for any other normal reason. But if we take the figures back to a long series of years, we find that there had been no such increase in past years. I may, however, again point out that the forests in the Chittagong Hill Tracts are a possible source of increased income specially as these areas are within easy reach of the port of Chittagong. The present income from these tracts is smaller as compared with those derived from Jalpaiguri, Darjeeling and other places.

As regards fisheries, it is quite true that a considerable number of fisheries are private properties. The Hon'ble Mr. Cumming has said that he has looked up the papers from 1860 down to the present time and he has found that there is very little chance of increasing the income under this head as most of the inland fisheries are private properties. But I would point out that the income can be increased at least so far as Sundarbans are concerned, which are *khas mahal* properties of Government which are generally settled on 10 years lease. There are a large number of creeks in Sunderbans which are certainly Government properties where fish grows in abundance and a good income can be derived therefrom. We all know that the price of fish has risen considerably of late. The difference in the price of fish in town and in rural areas is great. Income can be increased by offering increased facilities for preserving fish. I never said nor do I say now that I have discovered something very new nor did I hold out hopes to the Hon'ble Finance Member of an *El Dorado* from which the needs of my province will all be met. But even the addition of a few lakhs to our existing income will be welcome. I have not blamed Government or anybody else for not taking steps in this direction in the past, but I suggest that inquiries in these matters, specially on scientific lines, will prove helpful. I am thankful to Government for accepting my resolution."

The resolution was then put and agreed to.

LIST OF BUSINESS—ITEM No. 36.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that proper steps be taken against the person or persons responsible for the publication in the *Epiphany* newspaper of the 18th January, 1919, of the unwarrantable attack on the character of the Prophet of Islam.

He said :—

"My Lord, it was with very great reluctance that I gave notice of this resolution, but I did it in obedience to the wishes of my constituents. But I am glad to say that the action taken in regard to the publication 'Prophet of Islam' has satisfied the Muhammadan community and has served the purpose for which I gave notice of this resolution. I, therefore, beg with your Excellency's permission to withdraw this resolution."

The resolution was then, by leave of the President, withdrawn.

Maulvi Abul Kasem; Mr. P. C. Mitter.

LIST OF BUSINESS—ITEMS Nos. 37 AND 38.

The Hon'ble Maulvi Abul Kasem also moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken to establish a Polytechnic College at Calcutta at an early date.

The Hon'ble Mr Provash Chunder Mitter moved, by way of amendment, that in the resolution (item No. 37) moved by the Hon'ble Maulvi Abul Kasem, for the words "establish a Polytechnic College at Calcutta at an early date" the following shall be substituted :—

> "further as early as possible technical education at Calcutta and elsewhere in Bengal on the lines indicated in the Report of the Indian Industrial Commission, 1916-18."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, at the very outset I desire to state that I gladly accept the amendment of which notice has been given by my hon'ble friend, Mr. P. C. Mitter. It moves on the line of least resistance and it serves the purpose which I had in view when I gave notice of this resolution equally well. I think I would not be justified in taking up the time of this Council by making a speech on this resolution. The object is well known—we want to give our boys industrial education. We have just accepted a resolution to the effect that we should investigate the resources of the country, and in order to make that investigation successful or to make the resources of the country useful, we must train our young men. And the best course is to start technical and industrial schools all over the province. A great Commission sat over the question and they have made certain recommendations. No doubt the Government have not yet considered the recommendations of that Commission as a whole. But I am sorry to say, my Lord, that Government move rather too cautiously and too slowly in this matter. And the object which I had in view in giving notice of this resolution was to make the pace a little quicker. The matter is very urgent and I think it would not admit of any further delay. More avenues of employment would be open to our young men and it will result in greater benefit politically and economically than anything else. Government will find this if they accept the amended motion which is now placed before the Council. With these words, my Lord, I commend this resolution to the acceptance of the Council."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I expected that my hon'ble friend, the mover of the resolution, would go into the matter more fully and I would have confined myself to the point raised by my amendment. But I am afraid he has not done so. However, I shall try to do justice to the amendment as it stands. At the outset I desire to say that I have taken care to make this recommendation in a limited form, namely, that further facilities for technical education should be provided in Calcutta and elsewhere in Bengal. I have limited it in that way because I know that the recommendations of the Industrial Commission have not yet been finally considered and the Government of India have not yet finally decided in what way these recommendations are to be given effect to. My Lord, the Industrial Commission have made various suggestions, some of which have already been given effect to by your Excellency's Government, *e.g.*, the one about the training of our young men in the railway workshop at Kanchrapara, as I believe provision has already been made in that direction. My Lord, the Industrial Commission have clearly indicated the different lines along which technical education is to proceed. I do not think

Maharajadhiraja Bahadur of Burdwan.

it is necessary for me to go into the question of those recommendations in detail. But about the general necessity of providing for better facilities of industrial and technical education there can be no question, and I hope your Excellency's Government will admit that such a necessity exists. Seventy-five per cent. of our raw materials go not to Great Britain—the country with which we are so intimately connected—but to non-British countries and countries absolutely outside the British Empire. Now, if our British non-official friends here, some of whom have in the past helped in developing Indian resources, were to attempt to turn the raw materials which go to non-British countries into finished commodities and even if they were to try their best, I make bold to say that, without training Indians in industrial and manufacturing lines, they will never succeed in their attempt. At the present moment, speaking only of my own province of Bengal, we have about 11,000 Britishers here. Out of this number about 11,000 are concerned with public services as administrators, policemen, or as sailors, professional men, and so on, and the vast work of the development of a province like Bengal is in the hands of about three thousand persons, as only about that number is concerned with trade, commerce and manufactures. The task is too heavy. There are various difficulties in bringing out experts from Great Britain. Some of these difficulties have been pointed out in the report of the Industrial Commission. The raw materials available here can now be turned to finished commodities so as to compete successfully in price with other countries if we were to depend on British experts only. We require the best British experts and experts from other countries as well, but if we require them we also require properly trained Indians along with them. Educational developments on these lines will also solve various political problems and will create better feeling between Britishers and Indians. When people meet each other in common work they get to know each other. The Indians will realize that the Britishers are not so bad after all and the Britishers also will realize when they come in closer contact with Indians that they are better than what they thought them to be. I hope your Excellency's Government will agree as to the general desirability of pushing forward with the work of providing better facilities for instruction in railway workshops and in existing technical and industrial institutions, such as Sibpur College, and this I hope your Excellency's Government can do even without waiting for the final decision of the Government of India. I hope also that steps will be taken for providing better facilities in industrial and technical education."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, my task has been somewhat simplified by the Hon'ble Maulvi Abul Kasem throwing the onus of moving the subject-matter of the resolution on the Hon'ble Mr. P. C. Mitter, and the Hon'ble Mr. Mitter taking a line quite different from what I must candidly confess I was prepared for. I thought that a strenuous fight would be put up, that Government had neglected Calcutta badly regarding the establishment of a Polytechnic Institute in Calcutta ; but evidently the Hon'ble Maulvi Sahib's love for Calcutta is not so great and in consequence we have been let off lightly. My Lord, although the Hon'ble Mr. Mitter's resolution is of a general kind, and I may say at once that the Government will be pleased to accept the resolution, I do think, however, that as this matter of a polytechnic institute for Calcutta is of importance to Calcutta itself and that as it has been the subject of a recent debate in the Calcutta Corporation, I should, therefore, say a few words regarding the proposal of a Technological Institute in Calcutta ; for, I think, those who are interested in the development of industrial education in this city would like to know that Government has not been entirely unmindful on this important project. It might be in the recollection of members, not

only of the present Council, but of the past, and of gentlemen interested in the proposal for the furtherance of industrial and technical education in the province, that two committees were formed some years ago to go into the whole question of a Technological Institute in Calcutta; and, at that time, I may say the committees were rather under the delusion that the Government of India under Lord Hardinge having left Calcutta post-haste after the Delhi Reforms and the announcement of the Delhi move, some of the Imperial buildings would be available, and that it would be possible to accommodate such an institute in one of these vacated buildings. The result was that estimates were prepared and the cost of construction was put down at a considerably modest figure. In fact, it was thought that no great expenditure under head 'Construction' would be necessary. Then again, of course, the matter was really mooted originally at a time when there was a proposal of moving the Sibpur College to Ranchi. All that is past history now, and I do not propose to take up the time of the Council unnecessarily. What I want to point out very briefly is this—that although we have not been able to make a start as yet with the question of establishing a Polytechnic Institute in Calcutta, we have not been idle in this matter as well as in the matter of general advancement of industrial education. It may be in the recollection of the Hon'ble Members of this Council that it was a little over a year ago, in connection with a debate on a budget resolution in 1918, that my esteemed friend, the Hon'ble Sir R. N. Mukerji, drew the attention of Government to the necessity of making provision for the higher technical instruction of Mechanical and Electrical Engineers; and although this resolution was opposed by Sir S. P. Sinha on behalf of Government, it was carried by a non-official majority, and in consequence of it, a provision was made in the budget of 1918-1919 for establishing workshops at Kanchrapara, but as it was not possible to spend the money within that year, provision has been made in the budget of the next financial year for a hostel at Kanchrapara; and as there has been some difference of opinion regarding the training of such Mechanical Engineers, Government have recently appointed a Committee to go into the question, and of which committee the Hon'ble Sir Rajendra Mukerji is the President. Then, again, now that we have decided to keep the Sibpur College where it is, we are expecting from the Governing Body of that College proposals for its extension, and we have recently also received a scheme drawn up by Mr. Everett for the establishment of a Polytechnic Institute in Calcutta; so that it may be taken that now that a scheme has actually been outlined for Calcutta, it will be gone into by the Education Department as soon as possible. I should like to go a little further and state what the other activities of this Government have been with regard to this important branch of education. We are in communication with the Bihar and Orissa Government about the development of evening classes in the mine fields and about the possibilities of establishing a school of mines. As all these relate to the same question of technical and industrial education, I have just thought fit to mention them to this Council. It must be understood, however, that the question of the development of industrial and technical education has got to be tackled by the Government as a whole when it takes into consideration all these different schemes, as also the proposals recently made by the Industrial Commission, regarding which some reference at length has been made by the Hon'ble Mr. Mitter. The difficulty, I may say, has hitherto been one of funds, owing to rigid economy being exercised in connection with the war: and although hostilities have ceased, peace is not yet in sight and the financial exigencies imposed by the war have by no means come to an end. We realize, however, the need for the development of technical and industrial education, and I can assure this Council that this Government intends to develop it so far as we have power to do so and have the means at our disposal. The Industrial Commission have drafted a programme and they speak with the authority of experts and specialists of a high order. That programme will receive the co-operation not only of Provincial Governments but also of the Government of India, because as Hon'ble Members are fully

aware, some parts of their recommendations which relate to the creation of a department of industries with control over technical education open up new vistas and must necessitate eventually the whole of technical education being handed over to a new department altogether; but that is essentially one for the Government of India to decide and for us to follow. The great thing, however, is that the report chalks out lines of advance, and we are anxious to advance in this important branch of education. For these reasons, as I have said, Government are pleased to accept the resolution of the Hon'ble Mr. P. C. Mitter; and I can at the same time give this assurance that the question of a polytechnic institute in or near Calcutta will not be lost sight of. I have already referred to the proposal which Mr. Everett has submitted only a few days ago. There are many attractive parts in his scheme and Government will examine these recommendations at an early date and give it its close and careful consideration. I trust the Hon'ble Members will believe us when we say that we realize, just as much as the mover of this resolution and the gentleman who has moved an amendment to it, the necessity of advancing in this important branch of education; and I hope that with this assurance and with the assurance conveyed by the fact that we are going to accept the resolution of the Hon'ble Mr. P. C. Mitter, the Council will realize that we have not been idle in this matter."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I am thankful to Government for accepting my resolution. After the speech of the Hon'ble Maharajadhiraja Bahadur of Burdwan, I do not think it is necessary for me to address the Council further on the matter."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I have nothing except to express my thanks to Government and to the Hon'ble Member in charge for the sympathetic reply and for the assurance that he has given. We are also glad to know that Government is in this instance moving quicker than usual."

The resolution was put in the following amended form and agreed to :—

This Council recommends to the Governor in Council that steps be taken to further, as early as possible, technical education at Calcutta and elsewhere in Bengal on the lines indicated in the Report of the Indian Industrial Commission, 1916-18.

LIST OF BUSINESS—ITEM No. 39.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken for the establishment of a Subordinate Judge's Court at Malda.

He said :—

"My Lord, at this fag-end of the day I am sorry to bring forward a resolution which however has an ancient history. It is nearly two decades since the people of Malda moved the Government of Bengal for the establishment of a subordinate judge's court in their town—the headquarters of that

district. At that time inquiries were made and it was found that the prayer could not be reasonably granted. The people of Malda, however, continued to move Government from time to time, and so far back as 1913 when His Excellency Lord Carmichael visited the ancient town of Malda they made this prayer in the address given to His Excellency and they made also the alternative suggestion that failing that, a subordinate judge may be asked to divide his time between Malda and Rajshahi. His Excellency was impressed with this aspect of the question and he promised an inquiry. The High Court was subsequently consulted and in the reply to a question put in this Council on the 26th July, 1915, the Hon'ble Mr. Kerr said that 'the High Court recognized that there were strong administrative grounds for meeting the wishes of the inhabitants of Malda, and suggested that a subordinate judge might be posted to Malda temporarily as an experiment, if an officer could be provided without prejudice to the requirements in the matter of additional subordinate judges elsewhere. Owing to lack of funds and the more urgent requirements of other districts, it will not be possible to give effect to the High Court's suggestion this year, but the matter will be further considered when staff and funds become available.' Since then my Lord another memorial has been sent to your Excellency's Government and I may here draw the attention of this Council to the strong recommendations of Mr. Cornes who was the District Judge of Rajshahi in 1913. He strongly urged that a subordinate judge's court should be established at Malda, and he declared that great inconvenience was being felt by the people in instituting their suits. He says : 'I am strongly in favour of the proposal, but only on condition that the strength of sub-judges for Rajshahi and Malda be permanently retained as two.' 'It is clear, however, that there is a good deal of work for a sub-judge at Malda.' 'I am informed and find no difficulty in believing that at present considerable claims are remitted frequently in order to bring suits within the jurisdiction of the senior munsif at Malda. The cost of conducting an original suit of Malda at Rampur-Boalia is prohibitive.' It is a very serious matter, my Lord, for the people giving up their rightful claims to avoid the difficulty of coming over to Rajshahi to fight out their cases. These are facts which are recognized by Government, and I hope your Excellency's Government will accept this resolution and give effect to it at an early date.

One difficulty has been mentioned both by the High Court and by Mr. Cornes, and it is about the accommodation of the sub-judge's court. I now learn that the members of the bar library are willing to give up their library room for the accommodation of the sub-judge's court. There is also another house available for that purpose. So this difficulty is removed, and as an additional subordinate judge has been permanently located since 1913 the question of funds does not arise. When I moved a similar resolution some time ago for the establishment of a sub-judge's court at Asansol my hon'ble friend, Babu Kishori Mohan Chaudhuri, assured this Council that although he was the member for Rajshahi he had no objection to a sub-judge's court being established at Malda. So I take it that the people of Rajshahi have no objection to it. Under the circumstances I hope your Excellency's Government will accept this resolution."

The Hon'ble Mr. Ashraf Ali Khan Chaudhuri said :—

"My Lord, representing the Malda district as I do in this Council, I cannot give a silent vote in favour of this resolution. I will give the present history, as my hon'ble friend, the mover, has given a past history of the facts of the case. I shall first deal with the inaccessibility of getting from Rajshahi to Malda. Once I had the pleasure of going with Cook's party for a trip to Holland, and I remember having enjoyed five sorts of

conveyances, when I went to Manikin Island I started in a cab, then got into a train, then went by steamer, then had the pleasure of going by a sailing boat, then an electric tram and then a small country boat in a canal drawn or rather towed by a horse. The people of Malda, when they want to go to Rajshahi enjoy the pleasure of using five or more sorts of conveyances, but under different circumstances. They start first in a bullock cart, they have then to cross the river by ferry boat, then they have to take the train to Godagari and then they have again to change to steamer and when the steamer is stuck on a shoal or *char*—as it often does—they have to get a fishing boat in order to get to Rampur-Boalia, and finally, when they get to Rampur-Boalia, the landing ghat is generally 4 to 5 miles away from the town in dry season. Therefore the journey has to be completed in a tum-tum which is peculiar to Rajshahi, over sand. In this way they have to perform a journey of about 70 miles from the district town of Malda to the district town of Rajshahi, *i.e.*, Rampur-Boalia. It may easily be imagined how very difficult the journey will be when the people have to come from the interior of the border of the Malda district.

The next matter is the difficulty about living at Rajshahi. The people of Malda who have not any friends or acquaintances find it difficult to hire houses or to live in hotels. Mr. Cornes, a former District Judge, said in his letter to the High Court that the accommodation was miserable and the lodging houses were generally situated at a great distance from the courts. I believe the Hon'ble Mr. O'Malley who was some time ago District Magistrate of Rajshahi will bear me out that the courts are at a great distance from Ghoramara, where the pleaders live; that is, my Lord, another difficulty. My friend, the Hon'ble Maharajadhiraja Bahadur of Burdwan, who is in charge of this department, knows very well how difficult it is for zemindars to maintain two establishments in two different districts. Some people who have got their own family lawyers at Malda have again to keep another set of lawyers at Rajshahi.

We are thankful to Government for distributing the courts, both civil and criminal, all over the Presidency. But in Malda we have not got a sub-judge's court to settle disputes as to question of right, and for settling such cases the people of Malda have to go to Rajshahi. The influential and wealthy people, or rather unprincipled and unscrupulous people can easily oust another person from his just rights as they know very well that the poor would find it very dificult to travel such a long distance to Rajshahi in order to institute a suit against his powerful opponent and bring all his witnesses over a distance of about 70 miles, and then arrange for their accommodation in a place like Rajshahi. The witnesses also do not like to live in Rajshahi for a long time, and as generally the cases are frequently adjourned the poor people find it very difficult to manage it and consequently fail.

As regards accommodation, I believe the bar library has offered to let their room for a small rent of Rs. 30. If, however, Government would care to have a separate building for the sub-judge's court, they could easily build a new house near about the criminal courts or they could easily have another storey on the top of the munsif's court.

The other argument which can be adduced against this resolution is: whether it would pay Government to have a sub-judge's court at Malda. I remember that in Bogra there was formerly no sub-judge's court; but as soon as such a court was established then the number of cases went up by leaps and bounds, as many people have availed themselves of the facilities of instituting their cases which they could not do before.

I do not know, my Lord, whether it would be good form on my part to advocate anything on behalf of lawyers, as I am myself a practising member

of the legal profession. But I may submit that the pleaders at Mald deserve a little encouragement. They can justly claim their legitimate shar of the work which is at present the monopoly of the Rajashahi pleader If, therefore, Government be kind enough to create a sub-judge's court a Malda it would not only be beneficial to the public, but also to the pleader there ; and since the Rajshahi bar does not object to the resolution, it wil perhaps be accepted by Government."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I said on another occasion that the people of Malda aspire t have a separate sub-judge's court as they feel very inconvenient to come t Rajshahi to institute suits. Government should consider if there is sufficien work for a sub-judge at Malda, and if that proves to be the case, a sub-judge' court may be established there. At present there are two sub-judges a Rajshahi—one of them may be posted at Malda. There is a sugestion tha the present munsiff at Malda who has power to try cases up to Rs. 2,000 may be removed and then there will be found sufficient work for two sub-judges one of whom may be located at Malda. The people of Rajshahi have no objec tion to a sub-judge's court being established at Malda and I beg also t suggest in this connection that Malda can be developed into a first class district. If it is decided that only one sub-judge should be appointed, ther he shall have to spend six months at Rajshahi and six months at Malda, bu that would be very inconvenient for the people of both these places. The subordinate judge at Rajshahi has to do all the account works as the district Judge has no time to attend to them, and the work at Rajshahi is not insufficient to fully employ the sub-judge. If there is sufficient work for two officers one should certainly be posted at Malda. There are, of course difficulties, but if these can be removed it would be a good thing to have a sub-judge at Malda."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I have no personal knowledge of the district of Malda and the only knowledge I have about this question has been derived from certain papers which I have here and to which reference has already been made by the hon'ble mover. From those papers I gather that the people of Malda feel great inconvenience and the inconvenience is felt by the local authorities too. From the letter addressed by Mr. Cornes to the Registrar of the High Court I gather that he suggested that one sub-judge could be spared from Rajshahi and that one sub-judge could be placed at Malda permanently and that he will have enough business to justify his being placed there. If half of the subordinate judge's time at Rampur-Boalia is occupied in hearing Malda cases then it must follow that if a sub-judge is placed at Malda he will have more cases and they will occupy his whole time. We have had a discussion in Council about the development of revenues of the Province of Bengal. We forget that if we increase the number of law courts it will increase the revenue, for the money realized as court-fees besides meeting the expenses of civil courts also pay for the expenses of criminal courts, and there is always a large surplus. What I mean is that there ought not to be any difficulty in acceding to the prayer of the Malda people as it will be a paying thing. It will not only pay the cost of establishing the court, the salary of the sub-judge and of the ministerial establishment, but it will leave a surplus. The Malda people have been trying for it for the last 18 years, but their cries have not attrached the sympathetic attention of Government. But now that we have had an opportunity of placing the matter before your Excellency's Government, I have no doubt that early

Sir D. P. Sarbadhikari; Maharajadhiraja Bahadur of Burdwan; Mr. Ashraf Ali Khan Chaudhuri.

orders will be issued for the establishment of a sub-judge's court at Malda. It may be said that this will encourage litigation, but as Mr. Ashraf Ali says that the people of Malda have neither the time nor the money to carry on litigation for the mere fun of it; they have their rights and the Government should provide facilities for vindicating such rights."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, having recently visited the part of the country in question I may say something from the point of view of the litigants and to voice the strong feeling that obtains in the district of Malda. One should think that the views put forward by some that litigation would be kept down by not establishing a sub-judge's court at Malda has no force whatever. As has been pointed out there is the other side of the question and sometimes justice cannot be obtained if one has to go all the way to Rajshahi. It is refreshing to note that the members of the Rajshahi bar have not put obstacles in the way, and I am sure not only the members of the Malda bar but the people also would welcome a sub-judge's court in their district. The question of accommodation does not arise. The work may be re-arranged in the way suggested by the Hon'ble Babu Kishori Mohan Chaudhuri and it may be possible to remove the munsif with large powers from Malda or to divide the time of a sub-judge as is done in the neighbouring districts of Jalpaiguri and Dinajpur. When at Rajshahi I satisfied myself about the inconvenience felt by the people owing to the want of a sub-judge's court there, this was very great. I did not feel disposed to face the inconvenience of a travel from Rajshahi to Malda much as I wanted to see the ruins of Gour. I do not know why this primitive mode of travelling has been allowed to go on for so many years. The smaller districts ought to be as self-contained as possible while we are dividing the larger districts. I hope for these reasons the resolution ought to be accepted by Government."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I must confess that the arguments put forward regarding the establishment of a sub-judge's court at Malda have in no way convinced me, because, if I may say so, the arguments which have been put forward are more for personal comfort—nice buildings and making Malda more easily accessible. Nobody seems to have advocated in this Council to-day as to whether or not the work at Malda is sufficient to justify Government's putting a sub-judge there for all the year round. The Hon'ble Maulvi who has been entrusted to move this resolution has limited his remarks to the memorial submitted to your Excellency, printed copies of which I believe have been rather freely distributed among the Members of this Council, and he has also brought into prominence a letter of the then District Judge, Mr. Julian Cornes, which was written about five years ago. Then we have had Mr. Ashraf Ali giving us what he called the present history of Malda and explaining to us some of the shilling delights that he had enjoyed at some obscure island in Holland where, among other things, if I caught him aright, he travelled in a boat driven by horses."

The Hon'ble Mr. Ashraf Ali Khan Chaudhuri said :—

"I beg your pardon, I said towed by horses and not driven by horses."

The Hon'ble Maharajadhiraja Bahadur of Burdwan continuing said :—

"Whatever that may be I do not know whether the shilling delights that he enjoyed in Holland could very well be compared with the delight of the

Maharajadhiraja Bahadur of Burdwan.

70 odd miles of travelling which is required from Rajshahi to Malda in the four or five different kinds of vehicles and conveyances which he mentioned. But I think in this connection it is well to remember what Bengal is. We have only got to look at Eastern Bengal and find out for one's self that these difficulties of travelling cannot be entirely got over until perhaps some enterprising gentlemen in Bengal, like the Tata Brothers in Bombay, start an aerial service, nor do I think can the question of accommodation or the sentimental desire to have a sub-judge placed at Malda weigh entirely with the Government. Then I do not know if as a lawyer he had a brief from his zemindar friends round about Malda, when he brought out the fact that the zemindars round about there have got to have two institutions, one their family lawyer from the place from which they hail, and another at Malda. My Lord, this is the case all over Bengal and when larger districts are subdivided more and more—a matter which Mr. Kerr would be able to more eloquently explain than myself, I think that the zemindars have got to realize that these multiplications of their legal staff are necessary unless they themselves can minimize the difficulties of law suits. This is a thing which cannot be helped, and it is a thing which is bound to grow as more partitions are sanctioned for the efficiency of Government in the country.

Then again we have had the representative from Rajshahi who, I may say, has rather damned the scheme with faint praises: as he could *not* very well wriggle out of it altogether, but he had not very much to say in favour of it either. I shall now put before the Hon'ble Mover of this resolution as well as its supporters the statistics of court work at Malda. It has already been pointed out by various gentlemen present here to-day that the question of posting a sub-judge at Malda has been before Government for a good many years and it has been brought to the notice of Government by the people of the district and by the local bar there. This is true and Government has naturally consulted the Hon'ble High Court in the matter and is anxious so far as it reasonably can to meet the aspiration of the people in the district. But from an examination of the work which arises in the civil courts from the Malda district however it appears that though there are two munsifs stationed there they have an average amount of work to do. The number of cases arising valued at over Rs. 2,000 has in the last five years only averaged 20 with 14 miscellaneous matters and the number of suits of a value of between Rs. 1,000 and 2,000 which are tried at present by the senior munsif only averages 48. And I believe these figures include non-contested and contested suits, and I think it must be quite clear to the Hon'ble Mover of this resolution as well as to the gentlemen of the Council present here to-day from these figures that under these circumstances it would be impossible to put a sub-judge for the whole year at Malda to hear this small number of cases and a few appeals, unless of course the Hon'ble Member with shilling delights would like the sub-judge who may be placed there to roam about the beautiful mangoe gardens there and work only for two months in a year. I do not think there is any justification for having a sub-judge when these are the figures which are before the Government. At Rampur-Boalia where at present the cases of Rs. 2,000 and over in value are tried, there is only one permanent sub-judge. He has a considerable number of cases arising within the district of Rajshahi to hear, and it would only be inconvenient to depute him for a part of the year to sit at Malda. Government does not therefore see its way to follow the procedure pursued in regard to the districts of Dinajpur and Jalpaiguri under which the sub-judge of Dinajpur is deputed for three short periods during the year aggregating in all about two months to try cases at Jaipaiguri. In recent years it has, however, been found necessary to depute an additional sub-judge to Rampur-Boalia for part of the year to assist the permanent judge. The High Court, however, do not consider that in normal years this is a thing that Government should indulge in. In view, however, of the fact that the people of Malda have been asking since a long time to have a sub-judge placed there permanently, Government is prepared in consulation with the High Court, to consider whether it would not be

possible to depute as an experimental measure an additional sub-judge for part of the year to Malda to try cases; and I hope that the Hon'ble Mover of this resolution and its supporters will agree that this is a fair proposal and that this may be tried and I trust that after my explanation the Hon'ble Mover may see his way to withdraw this resolution."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, from the beginning of the speech of the Hon'ble Maharajadhiraja Bahadur of Burdwan I little anticipated that I will have the agreeable surprise of the assurance given that Government is prepared to try the experiment of deputing an additional sub-judge for a certain time of the year to Malda. This will certainly not only satisfy myself but the people on whose behalf I was deputed to speak and who had asked me to do so. As that has been done I do not think I should detain the Council any longer, and, therefore, with Your Excellency's permission I beg to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned to Thursday, the 3rd April, 1919, at 11 A.M., at Government House, Calcutta.

A. M. HUTCHISON.
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (offg.).

CALCUTTA;
The 5th April, 1919.

B. S. Press—25-4-1919—39J—350—R. D'S & others.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Thursday, the 3rd April, 1919, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble Sir Rajendra Nath Mookerjee, K.C.I.E.

The Hon'ble Sir Nilratan Sarkar, Kt.

The Hon'ble Mr. R. V. Mansell, O.B.E.

The Hon'ble Mr. W. H. H. Arden-Wood, C.I.E.

The Hon'ble Raja Hrishikesh Laha, C.I.E.

The Hon'ble Mr. L. V. N. Meares.

The Hon'ble Mr. Provash Chunder Mitter, C.I.E.

The Hon'ble Babu Siv Narayan Mukharji.

The Hon'ble Kumar Shib Shekhareswar Ray.

The Hon'ble Sir Deba Prasad Sarbadhikari, Kt., C.I.E.

The Hon'ble Rai Debender Chunder Ghose Bahadur

The Hon'ble Rai Radha Charan Pal Bahadur.

The Hon'ble Mr. W. E. Crum, O.B.E.

The Hon'ble Mr. W. H. Phelps.

The Hon'ble Mr. H. R. A. Irwin, C.I.E.

The Hon'ble Dr. Abdulla-al-Mamun Suhrawardy.

The Hon'ble Maulvi Abul Kasem.

The Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri.

The Hon'ble Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Khan Sahib Aman Ali.

The Hon'ble Mr. Altaf Ali.

The Hon'ble Rai Sri Nath Ray Bahadur.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur

The Hon'ble Babu Kishori Mohan Chaudhuri.

LIST OF BUSINESS—ITEM No 1.

STARRED QUESTIONS.

The following questions which had been starred were put and answered :—

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***1.**

Compensation for alleged malicious prosecution by a sub-inspector of police of Dinajpur.

(*a*) Is it a fact that Chaitanya Charan Sett instituted a suit to recover compensation for malicious prosecution against Muhammad Yusuf, a sub-inspector in the Bengal Police, and another, in the court of the subordinate judge at Dinajpur?

(*b*) If the answer to clause (*a*) be in the affirmative, will the Government be pleased to state—

(*i*) whether it is a fact that Government paid the expenses of the first-named defendant in the above-mentioned suit; and

(*ii*) whether the Government pleader of Dinajpur and another pleader of the local Bar were engaged on behalf of the defence at the cost of the Government?

(*c*) If the answer to clause (*a*) be in the affirmative, will the Government be pleased to state the total amount spent by them for the defence, including pleaders' fees?

(*d*) Is it a fact that the above suit has been dismissed, and that no costs have been awarded to the first-named defendant on the ground that the said defendant did not exercise proper care in the investigation of a murder case?

(*e*) If the answer to clause (*b*) (*i*) be in the affirmative, will the Government be pleased to state whether they propose to realize from the defendant the amount of the costs incurred by them in the case?

(*f*) Are the Government aware that the said defendant intends to prefer, or has preferred, an appeal against the decision of the subordinate judge with regard to the costs?

(*g*) If so, do the Government propose to defray the costs of the said defendant in the appeal?

(*h*) Has the attention of Government been drawn to the judgment of the subordinate judge? If so, will the Government be pleased to state whether they propose taking any steps regarding the said defendant sub-inspector's conduct as disclosed in the judgment of the subordinate judge?

Answer by the Hon'ble Mr. Kerr:—

(*a*) Yes.

(*b*) Yes.

(*c*) Rs. 2,135.

(*d*) Yes.

(*e*) No.

(*f*) It is reported that the defendant intends to prefer an appeal at his own cost.

(*g*) No.

(*h*) Government have read the judgment of the Subordinate Judge. The Court held that the sub-inspector was not liable for compensation for malicious prosecution and added :—' The acts done by the defendant No. 1 for which he may be blamed are trifling acts of carelessness or indiscretion which did not influence or mislead the other investigating officers to send up the plaintiff as an accused for trial, but as the defendant No. 1 ought to have exercised proper care in the investigation of a murder case, I do not allow him costs '

As a matter of fact the prosecution was actually undertaken under the order of Mr Ray, who was then Assistant Superintendent of Police in charge of the Balurghat subdivision In these circumstances, Government do not propose to take any action in regard to the sub-inspector."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***11.**

The case of Excise Officer, Babu Akshaya Kumar Ganguli.

(*a*) Is it a fact that Babu Akshaya Kumar Ganguli, who had been an officer in the Excise department for about 22 years, was some time ago degraded to the next lower grade from the grade in which he was at the time serving ?

(*b*) If so, will the Government be pleased to state the reason why he was so degraded ?

(*c*) Is it a fact that the said Babu Akshaya Kumar Ganguli appealed to the Commissioner of Excise, Bengal, against the order degrading him, and that the Commissioner of Excise thereupon passed an order dismissing him from the service ?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Government be pleased to state whether the order dismissing him was in connection with the same offence for which he was degraded as referred to in clause (*a*) ?

(*e*) If not, will the Government be pleased to state the reasons for such dismissal ?

(*f*) Is it a fact that the said Babu Akshaya Kumar Ganguli appealed to His Excellency the Governor in Council, or to the Hon'ble Member in charge of the Excise department, against the order of dismissal from service by the Commissioner of Excise ?

(*g*) If so will the Government be pleased to state what action, if any, the Government took in the matter ?

(*h*) If the Government have not taken any action in the matter, are they considering the desirability of instituting an inquiry into the matter ?

Answer by the Hon'ble Mr. Donald:—

" (*a*) Yes.

(*b*) False entries in his diaries and disobedience of orders.

(*c*) Yes.

(*d*) Yes.

(*e*) His conduct in connection with the offences for which he had been degraded and his previous bad record.

(*f*) Yes.

(*g*) Govern nent considered the memorial and declined to interfere.

(*h*) The question does not arise."

UNSTARRED QUESTIONS.

(*The answers to which were laid on the table.*)

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

What progress has been made in the work of the committee which was appointed by the Government of Bengal, with Sir Asutosh Mukerjee as President, for the purpose of advising Government as to the future organisation of the Hindu girls' education?

Progress of the committe on the future organization c the Hindu gi education.

Answer by the Hon'ble Mr. O'Malley:—

"The Committee in question submitted its report on 31st March, 1916, and has ceased to exist."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

2.

With reference to the answers to my unstarred question No. 17 asked on the 5th March, 1919, regarding the co-operative societies sent into liquidation, will the Government be pleased to state—

Particulars as to certain co-operative societies und liquidation.

(*i*) under which of the classes—"bad" or "hopeless"—each such society was placed initially, and on what dates;

(*ii*) how many of such societies were personally inspected by the Registrar, Co-operative Societies, after such classification, and on what dates;

(*iii*) what exact steps were taken by the Registrar to rescue the societies from ultimate liquidation; and

(*iv*) in what way do the Central Bank and the Government staff keep a *strict* watch over each such society?

Answer by the Hon'ble Mr. McAlpin:—

"(*i*) There are no records before 1915 of the classification of societies. A statement is, however, laid on the table giving particulars of the years in which the societies were so classified initially since that date. It is not in the public interest to say under what particular class each society was placed initially.

(*ii*) There is no record of the number of societies under liquidation which were personally inspected by the Registrar.

(*iii*) In different cases different steps were taken. Members were warned of the consequences of liquidation and exhorted to rescue their societies; time was allowed to them; the periods of kist instalment were extended; officers were sent to the societies to encourage the members to improve their societies; local people of influence were induced to take an interest in the societies; and Central Banks and inspecting officers were instructed to pay as much attention as possible to the societies, to inspect them freely, and to preach the principles of co-operation to the members. Sometimes societies when unwieldy were split up, the office-bearers were removed and new office-bearers appointed, bad members were expelled and better men induced to join the societies; and so on.

(*iv*) By frequent inspection and careful checking of accounts and Registers."

Statement referred to in the answer by the Hon'ble MR. MCALPIN *to question N (Unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council m of the 3rd April, 1919.*

Serial No. and name of Society.	Year of classification.	REMARKS.
1	2	3
JESSORE.		
1. Parnandooli R. C. S.	Was placed under liquidation in April 1914.	
2. Nanduli R. C. C. S. ...		
3. Beludgar R. C. C. C. S. ...		
4. Balia Bhekutia ...	1915-16.	
5. Bhiana Rajapur ...	1915-16.	
6. Dhangata R. S. ...	1916-17.	
7. Doulatpur Mdn. R. C. C. S. ...	1917-18.	
8. Bansberia R. C. C. S. ...	1916-17.	
KHULNA.		
1. Muragacha R. C. S. ...	1914-15.	
2. Dargapur No. 4. R. C. S. ...	1915-16.	
3. Sabdalpur C. S. ...	1914-15.	
4. Jahanabaj C. S. ...	1914-15.	
5. Dhulihar C. S. ...	1914-15.	
6. Moutala C. S. ...	1914-15.	
7. Nityanandapur ...	1914-15.	
8. Khesra No. 1. ...	1916-17.	
9. Jalalpur R. C. C. S. ...	1916-17.	
10. Srimantakali R. C. C. S.	1916-17.	
11. Barat R. C. C. S. ...	1916-17.	
12. Khesra Model R. C. C. S.	1916-17.	
BIRBHUM.		
1. Narianpur R. C. C. S. ...	1915-16.	
2. Paikar Ghosh C. C. S. ...	1915-16.	
3. Margram Ghosh C. C. S. ...	1915-16.	
4. Gonpur Ghosh C. C. S. ...	1915-16.	
5. Bhabanipur C. C. S. ...	1916-17.	
6. Kaluna C. S. ...	1917-18.	
CALCUTTA.		
1. Anglo-Indian C. C. S. Ltd. ...	1917-18.	
24-PARGANAS.		
1. Baruipur C. Stores Ltd. ...	1914-15.	
MURSHIDABAD.		
1. Gangaprasad No. 1. R. C. C. S. ...	1914-15.	
2. Maharajpur R. C. S. ...	1914-15.	
3. Kuluberia R. C. S. ...	1914-15.	
4. Chhayghari R. C. S. ...	1917-18.	
NADIA.		
1. Teorkhali R. C. S. ...	1914-15.	
2. Ranaghat Paikpara J. B. ...	1914-15.	
3. Badkulla R. C. C. S. ...	1914-15.	
4. Ghoramara C. S. ...	1914-15.	
5. Haulia C. S. ...	1916-17.	
6. Gobindapur C. S. ...	1916-17.	
7. Jagannathpur C. S. ...	1917-18.	
8. Biswanathpur C. S. ...	1917-18.	

Serial No. and name of Society.	Year of classification.	Remarks.
1	2	3
Midnapore.		
1. Sitli R. C. C. S. ...	1917-18.	
2. Parapara R. C. C. S. ...	1916-17.	
3. Dakhinbar R. C. C. S. ...	1916-17.	
4. Mahapal R. C. C. S. ...	1915-16.	
5. Chinchira R. C. C. S. ...	1916-17.	
6. Akna Pithapui ...	1917-18.	
7. Ameshawarpui ...	1917-18.	
Faridpur.		
1. Srirampur G. M. S. ...	Liquidated on 14-5-12.	
2. Bedgram G. D. B. ...	Liquidated on 28-5-14.	
3. Shirkhara G. D. B. ...	1914-15.	
4. Paribartan Chaygaon G. D. B. ...	1914-15.	
5. Birangal G. D. B. ...	1914-15.	
6. Amirabad G. D. B. ...	1914-15.	
7. Gobindapur G. M. S. ...	1914-15.	
8. Nayrashi G. D. B. ...	1914-15.	
9. Akandangi G. M. S. ...	1915-16.	
10. Char Nasirpur G. D. B.	1914-15.	
11. Kadmi G. D. B. ...	1914-15.	
12. Lakhipur G. M. S. ...	1914-15.	
13. Majhkandi G. M. S. ...	1914-15.	
14. Sujandowla G. D. B. ...	1914-15.	
15. Khas Co. G. D. B. ...	1914-15.	
16. Gopalpur G. D. B. ...	1914-15.	
17. Rajarambari R. D. ...	1914-15.	
18. Char Khankhanapur R. C. B. ...	1915-16.	
19. Jaynagar G. D. B. ...	1914-15.	
20. Brahamandi G. D. B. ...	1915-16.	
21. Kagdi G. D. B. ...	1914-15.	
22. Kutubpur G. D. B. ...	1914-15.	
23. Dakhin Janajat G. D. B. ...	1915-16.	
24. Dattapara G. D. B. ...	1916-17.	
25. Saitnumber Moiserchar G. D. B. ...	1916-17.	
26 Ghattakhan G. D. B. ...	1917-18.	
27. Char Benodepur G. D. B. No. 1 ...	1917-18.	
28. Rajbari C. T. B. Ltd. ...	1917-18.	
29. Udaypur Co-operative Union Ld. ...	1917-18.	
30. Jasabanta Rayerkandi ...	1917-18.	
31. Paikkandi C. R. B. ...	1917-18.	
32. Ballavdi G. D. B. ...	1917-18.	
33. Sharisar Bahuladanga J. B. ...	1917-18.	
34. Komorpur G. D. B. ...	1916-17.	
35. Char Neamatpur G. D. B. ...	1917-18.	
36. Singaria G. D. B. ...	1917-18.	
37. Bijhari G. D. B. ...	1917-18.	
38. Abdullabad G. D. B. ...	1917-18.	
39. Kalukati G. D. B. ...	1917-18.	
40. Bhasanchar Dadpur G. D. B. ...	1915-16.	
41. Char Nilakhi G. D. B. ...	1917-18.	
42. Faridpur C. T. B. Ltd. ...	1916-17.	
Rangpur.		
1. Koya G. D. B. ...	Liquidated on 28-4-13.	
2. Barabari G. D. B. ...	1915-16.	
3. Gopalcharan G. D. B. ...	1917-18	
Dinajpur.		
1. Durgapur Annapurna Bhandar ...	1916-17.	

Statement referred to in the answer by the Hon'ble MR. MCALPIN *to question No. 2, (Unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council meeting of the 3rd April, 1919.*

Serial No. and name of Society.	Year of classification.	REMARKS.
1	2	3
JESSORE.		
1. Parnandooli R. C. S. ...	Was placed under liquidation in April 1914.	
2. Nanduli R. C. C. S. ...		
3. Beludgar R. C. C. S. ...		
4. Balia Bhekutia ...	1915-16.	
5. Bhiana Rajapur ...	1915-16.	
6. Dhangata R. S. ...	1916-17.	
7. Doulatpur Mdn. R. C. C. S. ...	1917-18.	
8. Bansberia R. C. C. S. ...	1916-17.	
KHULNA.		
1. Muragacha R. C. S. ...	1914-15.	
2. Dargapur No. 4. R. C. S. ...	1915-16.	
3. Sabdalpur C. S. ...	1914-15.	
4. Jahanabaj C. S. ...	1914-15.	
5. Dhulihar C. S. ...	1914-15.	
6. Moutala C. S. ...	1914-15.	
7. Nityanandapur ...	1914-15.	
8. Khesra No. 1. ...	1916-17.	
9. Jalalpur R. C. C. S. ...	1916-17.	
10. Srimantakali R. C. C. S. ...	1916-17.	
11. Barat R. C. C. S. ...	1916-17.	
12. Khesra Model R. C. C. S. ...	1916-17.	
BIRBHUM.		
1. Narianpur R. C. C. S. ...	1915-16.	
2. Paikar Ghosh C. C. S. ...	1915-16.	
3. Margram Ghosh C. C. S. ...	1915-16.	
4. Gonpur Ghosh C. C. S. ...	1915-16.	
5. Bhabanipur C. C. S. ...	1916-17.	
6. Kaluna C. S. ...	1917-18.	
CALCUTTA.		
1. Anglo-Indian C. C. S. Ltd. ...	1917-18.	
24-PARGANAS.		
1. Baruipur C. Stores Ltd. ...	1914-15.	
MURSHIDABAD.		
1. Gangaprasad No. 1. R. C. C. S. ...	1914-15.	
2. Maharajpur R. C. S. ...	1914-15.	
3. Kuluberia R. C. S. ...	1914-15.	
4. Chhayghari R. C. S. ...	1917-18.	
NADIA.		
1. Teorkhali R. C. S. ...	1914-15.	
2. Ranaghat Paikpara J. B. ...	1914-15.	
3. Badkulla R. C. C. S. ...	1914-15.	
4. Ghoramara C. S. ...	1914-15.	
5. Haulia C. S. ...	1916-17.	
6. Gobindapur C. S. ...	1916-17.	
7. Jagannathpur C. S. ...	1917-18.	
8. Biswanathpur C. S. ...	1917-18.	

Serial No. and name of Society.	Year of classification.	Remarks.
1	2	3
Midnapore.		
1. Sitli R. C. C. S. ...	1917-18.	
2. Parapara R. C. C. S. ...	1916-17.	
3. Dakhinbar R. C. C. S. ...	1916-17.	
4. Mahapal R. C. C. S. ...	1915-16.	
5. Chinchira R. C. C. S. ...	1916-17.	
6. Akna Pithapur ...	1917-18.	
7. Ameshawarpur ..	1917-18.	
Faridpur.		
1. Srirampur G. M. S.	Liquidated on 14-5-12.	
2. Bedgram G. D. B. ...	Liquidated on 28-5-14.	
3. Shirkhara G. D. B. ...	1914-15.	
4. Paribartan Chaygaon G. D. B. ...	1914-15.	
5. Birangal G. D. B. ...	1914-15.	
6. Amirabad G. D. B. ...	1914-15.	
7. Gobindapur G. M. S. ...	1914-15.	
8. Nayrashi G. D. B. ..	1914-15.	
9. Akandangi G. M. S. ...	1915-16.	
10. Char Nasirpur G. D. B.	1914-15.	
11. Kadmi G. D. B. ..	1914-15.	
12. Lakhipur G. M. S. ...	1914-15.	
13. Majhkandi G. M. S. ...	1914-15.	
14. Sujandowla G. D. B. ...	1914-15.	
15. Khas Co. G. D. B. ...	1914-15.	
16. Gopalpur G. D. B. ...	1914-15.	
17. Rajarambari R. D. ...	1914-15.	
18. Char Khankhanapur R. C. B. ...	1915-16.	
19. Jaynagar G. D. B. ...	1914-15.	
20. Brahamandi G. D. B. ...	1915-16.	
21. Kagdi G. D. B. ..	1914-15.	
22. Kutubpur G. D. B. ...	1914-15.	
23. Dakhin Janajat G. D. B. ...	1915-16.	
24. Dattapara G. D. B. ...	1916-17.	
25. Saitnumber Moiserchar G. D. B. ...	1916-17.	
26 Ghattakhan G. D. B. ...	1917-18.	
27. Char Benodepur G. D. B. No. 1 ...	1917-18.	
28. Rajbari C. T. B. Ltd. ...	1917-18.	
29. Udaypur Co-operative Union Ld. ...	1917-18.	
30. Jasabanta Rayerkandi ...	1917-18.	
31. Paikkandi C. R. B. ...	1917-18.	
32. Ballavdi G. D. B. ...	1917-18.	
33. Sharisar Bahuladanga J. B. ...	1917-18.	
34. Komorpur G. D. B. ...	1916-17.	
35. Char Neamatpur G. D. B. ...	1917-18.	
36. Singaria G. D. B. ...	1917-18.	
37. Bijhari G. D. B. ...	1917-18.	
38. Abdullabad G. D. B. ...	1917-18.	
39. Kalukati G. D. B. ...	1917-18.	
40. Bhasanchar Dadpur G. D. B. ...	1915-16.	
41. Char Nilakhi G. D. B. ...	1917-18.	
42. Faridpur C. T. B. Ltd. ...	1916-17.	
Rangpur.		
1. Koya G. D. B. ...	Liquidated on 28-4-13.	
2. Barabari G. D. B. ...	1915-16.	
3. Gopalcharan G. D. B. ...	1917-18	
Dinajpur.		
1. Durgapur Annapurna Bhandar ...	1916-17.	

Serial No. and name of Society.	Year of classification.	REMARKS.
1	2	3
BOGRA.		
1. Kuptala Udhar Bank ...	1917-18.	
2. Agdhap C. C. S. ...	1917-18.	
3. Digharpar G. J. B. ..	1917-18.	
PABNA.		
1. Boramara G. D. B. ...	Not available.	
2. Aminpur G. D. B. ...		
3. Bharenga C. Weavers' Society .		
4. Char Boalia G. D. B. ...	1916-17.	
5. Pengua G. D. B. ...	1917-18	
6. Nukali G. R. S. .	1917-18.	
7. Nalkhola G. D. B. ...	1917-18.	
8. Bagmara G. D. B. ...	1917-18.	
9. Ahamadpur G. D. B. No. 1 ..	1917-18.	
10. Kusiara G. D. B. ..	1917-18.	
11. Konabaria G. R. S. ...	1917-18.	
12. Edrakpur G. D. B. No. 2 ...	1916-17.	
13. Berahimpara G. D. B. ..	1917-18.	
14. Dariapur G. D. B. No. 2 ...	1917-18.	
15. Agpunglia G. D. B. No. 2 ...	1917-18.	
16. Chakpatta G. R. S. .	1917-18.	
MYMENSINGH.		
1. Sadhurpara G. M. S. No. 1. ...	1914-15.	
2. Char Gobindapur G. D. B. ...	1914-15.	
3. Char Sataria Lahiripara ..	1914-15.	
4. Ramnagar G. D. B. ...	1915-16.	
5. Aultia Joutha Bank ...	1914-15.	
6. Pollokandi Joutha Bank ..	1915-16.	
7. Rohaigajaria Joutha Bank ...	1915-16.	
8. Tabirchar Joutha Bank ...	1915-16.	
9. Shibaprasadpur C. S .	1915-16.	
10. Deoghar C. S. ...	1917-18.	
11. Derurbil G. D. B. ...	1914-15.	
CHITTAGONG.		
1. Chota Hatiya J. B. ...	1914-15.	
DACCA.		
1. Moidinagar C. S. ..	1914-15.	
2. Ramkantapur C. S. ...	1914-15.	
3. Rudradi ...	1914-15.	
4. Mahadebpur ...	1914-15.	
5. Kharia Karikar Bank ..	1915-16.	
6. Mirzarchar M. B. I. ...	1917-18.	
7. Khirati G. D.B. ...	Liquidation order annulled by the Local Government on appeal.	
BAKARGANJ.		
1. Choramuddi D. B M. .	1914-15.	
2. Dakhin Satikhola .	1914-15.	
3. Barua G. B. M. ...	1914-15.	
4. Salia Bagpur ...	1916-17.	
5. Bamanikati G. D. B. ...	1914-15.	
6. Jagua D. B. M. ...	1915-16.	
7. Ruiya D. B. M. ...	1916-17.	
8. Khoerdi ...	1915-16.	

Serial No. and name of Society.	Year of classification.	Remarks.
1	2	3
TIPPERAH.		
1. Fagunda G. K. S. ...	.....	Closed on 31-7-14.
2. Comilla C. Stores Ltd. ...	1914-15.	
3. Dari Algaon G. M. S. ...	1914-15.	
4. Manikganja G. M. S. ...	1914-15.	
5. Rajapur G. M. S. ...	1914-15.	
6. Mahamadpur G. M. S. ...	1914-15.	
7. Merkot G. M. S. ...	1914-15.	
8. Tugaria G. M. S. ...	1914-15.	
9. Chandpur C. U. B. Ltd. ..	1914-15.	
10. Sahabajpur J. B. ...	1915-16.	
11. Padua G. M. S. ...	1915-16.	
12. Panchrangi G. M. S. ..	1915-16.	
13. Lakhipur G. M. S. ..	1915-16.	
14. Basudai G. M. S. ..	1916-17.	
15. Heshakhal G. M. S. No. 1 ...	1916-17.	
16. Srihasya G. M. S. ...	1916-17.	
17. Sahatuli J. B. ...	1916-17.	
18. Tapaban G. M. S. ...	1916-17.	
19. Ujanijora G. M. S. ...	1916-17.	
20. Gangtiara G. M. S. .	1916-17.	
21. Pella G. M. S. .	1916-17.	
22. Belashaw G. K. S. ...	1916-17.	
23. Fulgaon G. K. S. ...	1915-16.	
24. Rajmahar G. K. S. .	1916-17.	
25. Bhabanipur G. K. S. ...	1917-18.	
26. Astagram Purbapara ...	1917-18.	
27. Narianbatua ...	1917-18.	
28. Barora ...	1917-18.	
29. Astagram Paschimpara ..	1917-18.	
30. Sinjore G M. S. ...	1917-18.	
31. Khajaria G. M. S. ...	1917-18.	
32. Narpatti Purbapara ...	1917-18.	
33. Gazirmura ...	1915-16.	
34. Natherpetua ...	1917-18.	
NOAKHALI.		
1. Bararai J. B. .	1916-17.	
2. Bandua Daulatpur J. B. . .	1915-16.	
3. Karmullapur J. B. ...	1916-17.	
4. Safiabad Ghagra J. B. ...	1916-17.	
5 Purba Kolapur J. B. ...	1916-17.	
6 Dakhin Taralia J. B. ...	1915-16.	
7. Uttar Mirwarispur J. B. ...	1917-18.	
8 Ramnagar J. B. ...	1917-18.	

By the Hon'ble Babu Akhil Chandra Datta:—

3. Will the Government be pleased to state whether the rules of recruitment for the subordinate civil service are the same as those for the provincial civil service (executive branch), requiring in both cases the same qualifications, educational and otherwise? Rules of recruitmen for the subordinat civil servic

Answer by the Hon'ble Mr. Kerr:—

"The qualifications prescribed for candidates for appointment by direct recruitment to the subordinate civil service and to the provincial civil service are the same. Appointments by promotion to the provincial civil service are usually made from the subordinate civil service, and appointments by promotion to the subordinate civil service from lower services and departments."

By the Hon'ble Babu Akhil Chandra Datta:—

4.

Training of members of the provincial executive service and of the subordinate civil service.

(*a*) Will the Government be pleased to state if members of the provincial executive service and of the subordinate civil service have to undergo the same training during their probationary period and are required to pass the same departmental examinations—by the lower and the higher standards?

(*b*) If so, will the Government be pleased to state since when this system has been in vogue?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Yes.

(*b*) Since 1892."

By the Hon'ble Babu Akhil Chandra Datta:—

5.

Duties of the members of the subordinate civil service and of the provincial executive service.

Is it a fact that members of the subordinate civil service are doing the same kind of responsible work as the members of the provincial executive service?

Answer by the Hon'ble Mr. Kerr:—

"Generally speaking, sub-deputy collectors are employed on work of less importance and responsibility than deputy collectors, and a large proportion of sub-deputy collectors are employed as sub-treasury officers, circle officers, *tahsildars* in Government estates and in other posts which are not held by deputy collectors."

By the Hon'ble Babu Akhil Chandra Datta:—

6.

Members of the subordinate civil service and charge of important revenue departments.

Is it a fact that the members of the subordinate civil service are placed in independent charge of important revenue departments, *e.g.*, settlement, *khas mahals*, certificate, partition, cess revaluation, land registration, court of wards, etc., like the members of the provincial executive service?

Answer by the Hon'ble Mr. Kerr:—

"It will be seen from pages 70—89 of the Civil List that both deputy and sub-deputy collectors are employed on settlement work, in Government estates and on partition and cess revaluation work. No deputy collector is at present employed under the Court of Wards, though two sub-deputy collectors are so employed. Sub-deputy collectors are not ordinarily vested with the powers of a certificate officer under the Public Demands Recovery Act. Officers are vested with these powers by the Collector with the sanction of the Commissioner and complete information regarding the officers at present exercising these powers is not available. Under section 84 of the Land Registration Act the Collector may delegate powers and functions under that Act to any assistant, deputy or sub-deputy collector, and Government have no information as to the officers at present exercising such powers Neither deputy nor sub-deputy collectors are in independent charge of any of the departments here mentioned. They all work under the supervision and control of the Collector or Settlement Officer."

By the Hon'ble Babu Akhil Chandra Datta:—

7.

(*a*) Is it a fact that in recent years a number of sub-deputy magistrates have been vested with first class and other special powers under the Code of Criminal Procedure, which were formerly exercised exclusively by the deputy magistrates?

Vesting of sub-deputy magistrates with first class and other powers.

(*b*) If so, will the Government be pleased to lay on the table a list of such officers, giving—

(*i*) the dates of their appointment to the subordinate civil service;

(*ii*) their present grades; and

(*iii*) the special powers with which they have been vested, together with the dates of such investment?

(*c*) On whose recommendations are the sub-deputy magistrates vested with first class powers?

(*d*) Is there any guiding principle underlying the investment of sub-deputy magistrates with first class powers under the Code of Criminal Procedure?

(*e*) Have the recommending authorities been instructed by any general letters, orders or circulars to adopt certain definite principles in making the recommendations?

(*f*) Was there any circular or order issued on this subject in August, 1911?

(*g*) If so, will the Government be pleased to lay on the table all letters, circulars and orders on this subject?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Until recently, sub-deputy magistrates were vested with first class magisterial powers only in exceptional cases. In 1916, however, owing to the absence with the Indian Army Reserve of Officers of a number of junior members of the Indian Civil Service, the rules were temporarily relaxed, and Commissioners were asked to nominate for first class powers sub-deputy magistrates who had exercised second class powers for some time and could be recommended as thoroughly fit to exercise first class powers.

(*b*) A statement is laid on the table.

(*c*) On the recommendation of Commissioners.

(*d*) and (*e*) The Hon'ble Member is referred to the answer to clause (*a*) above.

(*f*) Yes.

(*g*) Copies of Government circulars No. 3885 A., dated 8th August, 1911, and No 9041 A., dated 16th December, 1916, are laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. 7 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council meeting of the 3rd April, 1919, of sub-deputy collectors who have been vested with 1st class powers and other special powers under the Code of Criminal Procedure.*

Serial No	NAMES.	Date of appointment as sub-deputy collector.	Present grade	DATE OF INVESTMENT WITH— First class powers.	DATE OF INVESTMENT WITH— Other powers under the Criminal Procedure Code.	REMARKS.
			Grade			
1	Babu Sharat Chandra Chatarji	8th March 1896	1st ...	15th July 1918	565—5th Nov 1918	
2	„ Birendra Kumar Basu	3rd Nov 1902	1st ...	15th „ „	.....	
3	„ Subodh Chandra Mitra	21st „ „	1st ...	17th Mar 1917	260—11th Nov 1918	Since promoted to the Provincial Civil Service
4	„ Atul Gopal Roy	24th „ „	1st ...	15th Feb 1913	260—28th Apl 1917	Ditto ditto.
5	„ Harish Chandra Sarkar	2nd Jan. 1903	1st ...	15th July 1918	565—30th Aug 1918	
6	„ Radhika Mohan Basak	20th June 1904	2nd ...	12th Mar 1917	.....	
7	„ Kshitish Chandra Haldar	30th Nov 1906	2nd ...	15th July 1918	.....	
8	„ Atul Behari Gosain.	5th Dec 1906	2nd ...	12th Mar 1917	565—16th Aug 1918	
9	„ Prokash Chandra Dutta	17th „ „	2nd ...	12th „ „	260—7th Jan 1919 565—30th Sept. 1918	
10	„ Amulya Krishna Dutta	7th „ „	2nd ...	15th July 1918	565—8th Nov 1918.	
11	„ Rajendra Lall Acharji	7th Dec. 1905	2nd ...	26th Oct 1917	110—15th Mar 1918 565— 260—4th Feb 1919	
12	Maulvi A F M. Muhammad Mahmud	5th Dec 1906	2nd ...	23rd Sept. 1918	...	
13	Babu Hari Charan Banarji	10th „ „	2nd ...	17th Mar 1917	565—4th June 1918	
14	„ Upendra Mohan Basu	17th Jan. 1907	3rd ...	12th „ „	110—13th Dec 1918 565—11th Nov 1918	
15	„ Bankim Behari Mitra	10th Dec. „	3rd ...	12th „ „	565—26th Oct 1917.	
16	Mr A I L Mutter ..	9th „ „	3rd ...	28th Oct. 1918	.....	
17	Babu Manindra Nath Basu	14th April 1905	3rd ...	17th Mar 1917	.....	
18	„ Tarapada Bhattacharji	11th Dec 1907	3rd ...	12th „ „	133—10th Feb 1919. 565—19th June 1918.	
19	Maulvi Muhammad Ibrahim	18th Feb. 1908	3rd ...	15th July 1918	.....	
20	Babu Surendra Mohan Mitra	21st March 1910.	3rd ...	12th Nov. 1917	.....	
21	Babu Kali Charan Mukherjee	6th Dec. 1909	3rd ...	15th July 1918	.....	
22	Babu Rebati Raman Barua	18th April 1911	4th ...	15th „ „	.....	
23	Babu Phani Bhushan Chakravarty	11th Feb „	4th ...	15th „ „	.....	
24	Babu Suresh Chandra Nandy	4th April 1912	4th ...	15th „ „	.....	
25	Babu Narendra Naram Chakravarty	30th Nov „	4th ...	17th Mar. 1917	.....	
26	Maulvi Jamiluddin Ahmad	21st Dec. 1914	5th ...	3rd Feb. 1919	.....	

Circulars referred to in the answer by the Hon'ble MR. KERR *to question No. 7 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council meeting of the 3rd April, 1919.*

No. 3885 A., dated Calcutta, the 8th August 1911.

From—THE HON'BLE MR. C. J. STEVENSON-MOORE, I.C.S., Chief Secretary to the Government of Bengal.

To—All Commissioners of Divisions.

THE question of vesting selected Sub-Deputy Magistrates and Collectors with first class magisterial powers has been recently under the consideration of Government. Although the primary duties of these officers are connected with the revenue administration, their services are also utilized for the trial of criminal cases. They are required to pass the Departmental Examinations by both the lower and higher standards, including the examination in Civil Law, but they are not at present given powers higher than those of a Magistrate of the second class. Some of these officers, however, have shown themselves possessed of an aptitude for magisterial work, which would justify the grant of full powers, and the Lieutenant-Governor in Council sees no valid reason why the administration should be deprived of the full value of their services. Such cases should, however, be regarded as exceptional and first class powers should only be conferred on those officers who from their standing and abilities are likely to be promoted within the next two or three years to the rank of Deputy Magistrate and Deputy Collector. I am to request that, subject to the above conditions, you will bear it in mind that it is open to you to recommend Sub-Deputy Magistrates for investment with first class powers.

No. 9041-45A., dated Calcutta, the 16th December 1916.

From—THE HON'BLE MR. J. H. KERR, C.I.E., Chief Secretary to the Government of Bengal.

To—All Commissioners of Divisions.

I AM directed to invite a reference to the circular letter No. 3885 A., dated the 8th August 1911, in which it was laid down that only those Sub-Deputy Magistrates should be recommended for first class magisterial powers who possessed special aptitude for magisterial work and who from their standing and abilities are likely to be promoted within the next two or three years to the rank of Deputy Magistrate and Deputy Collector. Owing to the deputation to the I. A. R. O. of a number of junior civilians who would ordinarily be holding charge of important subdivisions, there is a great scarcity of Deputy Magistrates with first class powers at present, and it is difficult to meet the demands for such officers. In these circumstances Government are willing to relax temporarily the existing orders about the grant to Sub-Deputy Magistrates of first class powers and to vest a limited number of Sub-Deputy Magistrates with such powers, provided they have exercised second class powers for some time and can be recommended as thoroughly fit to exercise first class powers. I am, therefore, to request that you will be so good as to report to Government at an early date the names of any such officers in your Division.

By the Hon'ble Babu Akhil Chandra Datta:—

8.

Is it a fact that the Government contemplated to confer first class powers only on those sub-deputy magistrates who were likely from their standing and abilities to be promoted within two or three years to the rank of deputy magistrates? If so, has this intention been given effect to?

Proposal to confer first powers on selected sub-deputy magistrates

Answer by the Hon'ble Mr. Kerr:—

"The Hon'ble Member is referred to the answer to question No. 7."

By the Hon'ble Babu Akhil Chandra Datta:—

9.

Management of Government estates by sub-deputy collectors.

Is it a fact that several important Government estates are managed by sub-deputy collectors, and that one of them has a rent-roll of 3 lakhs and 78 thousand rupees?

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member will find full information on the subject at pages 78-81 of the Bengal Civil List for January, 1919."

By the Hon'ble Babu Akhil Chandra Datta:—

10.

Services of sub-deputy collectors in recruiting and other work during the war.

Is it a fact that the services of the sub-deputy collectors were requisitioned by Government for recruiting and other work during the period of the war in the same way as those of the deputy collectors?

Answer by the Hon'ble Mr. Kerr:—

"Thirteen sub-deputy collectors were employed solely on recruiting duties for different periods during the war, and others did recruiting work in addition to their ordinary duties. No sub-deputy collector was employed on any form of war work except recruiting. No deputy collector was employed solely on recruiting work, but several assisted in recruiting work in addition to their ordinary duties. Five deputy collectors joined the Indian Army Reserve of Officers, and two were employed in the Military Accounts Department during the war."

By the Hon'ble Babu Akhil Chandra Datta:—

11.

Sub-deputy collectors and their duties

Is it a fact that the sub-deputy collectors, are, as a rule, hard worked officers and are entrusted with important and responsible duties?

Answer by the Hon'ble Mr. Kerr:—

"Generally speaking, the statement is correct."

By the Hon'ble Babu Akhil Chandra Datta:—

12.

Sub-deputy collectors holding listed appointments in the provincial executive service.

(*a*) Will the Government be pleased to state whether it is a fact that at present some of the members of the provincial executive service, who are holding listed appointments, were formerly sub-deputy collectors?

(*b*) If so, will the Government be pleased to lay on the table a list of such officers?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) and (*b*) Two members of the provincial civil service who are now holding listed appointments, were formerly sub-deputy collectors, namely:—

(*1*) Khan Bahadur Muhammad Abdul Mumin, now Magistrate and Collector, 3rd grade, and Settlement Officer, Jessore.

(*2*) Khan Bahadur Saiyid Abdul Latif, Under-Secretary to Government, Revenue Department."

By the Hon'ble Babu Akhil Chandra Datta:—

13.

Will the Government be pleased to lay on the table a statement showing the officers of the provincial and subordinate civil services who are at present holding independent charge of the following departments:—

List of offic of provincial and subordin civil services in independe charge of certain departments.

(*i*) *khas mehal*;

(*ii*) certificate;

(*iii*) cess revaluation;

(*iv*) land registration;

(*v*) court of wards;

(*vi*) settlement; and

(*vii*) partition?

Answer by the Hon'ble Mr. Kerr:—

"The Hon'ble Member is referred to the answer to question No. 6."

By the Hon'ble Babu Akhil Chandra Datta:—

14.

(*a*) Are the Government considering the question of recruitment of the subordinate civil service and other matters relating thereto, which were stated to be "in the melting pot" by the Hon'ble Mr. Kerr in the course of his reply to the resolution moved by the Hon'ble Rai Mahendra Chandra Mitra Bahadur at the meeting of the Council held on the 19th August, 1918, with respect to the subordinate civil service?

Recruitment the subordin civil service.

(*b*) If so, will the Government be pleased to state what progress has been made in the matter?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) and (*b*) The Hon'ble Member is referred to this Government Resolution No. 2160 A., dated the 25th March, 1919, which was published in the *Calcutta Gazette* of the 26th March, 1919, and in which *inter alia*, the question of the promotion of members of the subordinate civil service to the provincial civil service was discussed in connection with the recommendations of the Public Services Commission relating to the latter service. The Public Services Commission did not deal with the subordinate civil service, and the position of that service is not at present under the consideration of Government except to the extent stated."

By the Hon'ble Babu Akhil Chandra Datta:—

15.

(*a*) Have the Government invited the opinions of public bodies, divisional commissioners, district and subdivisional officers, and the members of the services concerned, in connection wth the recruitment, etc., of the subordinate civil service?

Collection of opinions in connection w the recruitm of the subordinate civil service.

(*b*) If not, are the Government considering the desirability of inviting such opinions by a resolution as was recently done in the case of the provincial judicial service and of the Excise department?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Only to the extent stated in the answer to question No. 14.

(*b*) Government propose to await opinions on the resolution relating to the provincial civil service before considering whether any action should be taken in regard to the subordinate civil service."

By the Hon'ble Babu Akhil Chandra Datta:—

16.

The case of Shaju Khatun.

(*1*) Is it a fact—

(*a*) that one Shaju Khatun, wife of Kajem Mashalchi, resident of village Baburchar, police-station Sadarpur, district Faridpur, was arrested in a cloth looting case as she had on a new *sari* which was suspected to be stolen property;

(*b*) that she was in an advanced stage of pregnancy;

(*c*) that she was made to walk on foot a long distance from Maheshwardi to Bhanga;

(*d*) that after walking some distance she informed the constable and the chaukidar that she had a pain in her abdomen and asked for permission to rest a while;

(*e*) that in reply she received a blow from the said constable;

(*f*) that after walking for about three hours she began to bleed;

(*g*) that her cloth being stained with blood, her brother, also an accused in the same case, gave her a cloth to protect her from the gaze of the people;

(*h*) that on the following day she was again made to walk from Talma to Faridpur where she was admitted into the jail with her cloth soaked with blood;

(*i*) that within a few hours after her admission into the jail she was delivered of a still-born child; and

(*j*) that she was in the jail when the Hon'ble Mr. J. G. Cumming, C.S.I., C.I.E., inspected the Faridpur jail in February last?

(*2*) If so, are the Government considering the desirability of making a full inquiry into the matter and of laying the result thereof on the table?

Answer by the Hon'ble Mr. Kerr:—

"(*1*) From a preliminary inquiry which was ordered by the Inspector-General of Police when he saw a report of this case in the newspapers, it would appear that the facts are substantially as stated in the question, except that it is denied that the woman was assaulted by a constable. It is reported that when the woman was arrested, the police offered to release her on bail, but no one was willing to stand surety for her. It is also stated that on the day previous to her arrest, the woman walked ten miles of her own accord from her home at Baburchar to her father's house at Maheshwardi.

(*2*) The District Magistrate of Faridpur has directed the Sadar Subdivisional Officer to hold a full inquiry into the matter and the result will be laid on the table in due course."

By the Hon'ble Khan Sahib Aman Ali:—

17.

Concession to certain medical students.

(*a*) Are the Government considering the desirability of allowing the students who were permitted to appear at the Final Licentiate Examination of the State Medical Faculty but could not, owing to unavoidable circumstances, appear at the said examination or got plucked in more than two subjects in 1916, an opportunity of appearing at the said examination to be held in November, 1919?

(*b*) Do the Government contemplate asking the sanction of the Government of India for the extension of this privilege to the said students?

(*c*) Was there any memorial received by Government from the public for granting the above concession to the said students?

(*d*) If so, will the Government be pleased to lay the memorial on the table?

Answer by the Hon'ble Mr. Donald:—

"(*a*) No. Government do not propose to go beyond the concession intimated in the press *communiqué* of the 3rd February, 1919, a copy of which is laid on the table

(*b*) No.

(*c*) The Chittagong Association submitted a memorial asking that the privilege of appearing at the Faculty Examination for a considerable period, or at least till November, 1918, be extended to all those who could not avail themselves of the opportunity of appearing at the examination held in November, 1916.

(*d*). A copy is laid on the table."

Press Communiqué referred to in the answer by the Hon'ble Mr. Donald *to question No. 17 (Unstarred) asked by the Hon'ble* Khan Sahib Aman Ali *at the Council meeting of the 3rd April, 1919.*

GOVERNMENT OF BENGAL.

FINANCE DEPARTMENT.

Medical.

PRESS COMMUNIQUÉ.

Calcutta, the 3rd February, 1919.

In modification of previous orders on the subject, the Governor in Council has now decided that candidates who were permitted to appear at the Final Licentiate Examination of the State Medical Faculty of Bengal, held in November, 1916, under the certificates granted by Government under the Transitory Provisions of the Statutes of the Faculty, but who failed in one or two subjects, will be allowed to re-appear at the examinations of the Faculty up to and including the examination to be held in November, 1919. Such candidates will be exempted from the obligation of undergoing further instruction in the subject or subjects in which they may have failed. The examination to be held in November, 1919, will be the last examination under the Transitory Provisions of the Statutes of the State Medical Faculty.

Memorial referred to in the answer by the Hon'ble MR. DONALD *to question No. 17 (Unstarred) asked by the Hon'ble* KHAN SAHIB AMAN ALI *at the Council meeting of the 3rd April, 1919.*

From—The Joint Secretary, Chittagong Association, Chittagong,
To—His Excellency The Right Hon'ble Lawrence John Lumley Dundas, Earl of Ronaldshay, G.C.I.E., Governor of the Presidency of Fort William in Bengal in Council, Calcutta.

May it please Your Excellency,

I have been asked by the Chittagong Association to lay the following facts for favourable consideration of Your Excellency in Council.

1. That your Excellency's Government was pleased, when the Bengal Medical Act was passed, to permit the passed students of the Calcutta Medical School, Belgachia, to appear at the Final Licentiate Examination of the State Medical Faculty within two years of its constitution; and the passed students of other medical institutions were allowed the same privilege about one year after that. At the same time this fact was not known to many passed students of these institutions. Some, no doubt, appeared at the examination, but, with a few exceptions, got plucked in it as they were unable to prepare themselves for the examination within the short time at their disposal after they came to know of the permission.

2. That your Excellency's Government has been further pleased to allow those practitioners only who failed for the first time in one or two subjects of the Faculty Examination held in November, 1916, to appear again at the next examination. But unfortunately the same privilege has not been extended to those who could not appear at the said examination, as, owing to shortness of notice, illness or other accidental causes, they could not prepare themselves for it. Thus some persons will enjoy greater privileges which will be denied to those of at least equal ability simply because the former has the chance of appearing at the examination which the latter could not avail themselves of.

3. My association thinks that it will really be very hard for those medical practitioners who for reasons mentioned above could not appear at the examination to carry on the very useful work that they have been doing in the whole country and to earn their own living even, if they be not granted the privilege of qualifying themselves as medical practitioners according to the Bengal Medical Act.

4. That two years mentioned in paragraph 1 having now expired a large number of practitioners are placed into disability to continue their profession and those in whose services they have been so employed are not willing to retain them in service unless they pass the prescribed examination.

5. Your Excellency's Government has already been signalised by a great effort towards the amelioration of the condition of the people by fighting against the diseases in the country, malaria, cholera, etc. Your Excellency is not unaware of the fact that medical practitioners are very few in number in proportion to the population of the country and the people therefore are in need of an adequate number of passed practitioners in view of great many diseases carrying away thousands of people every year.

6. My association therefore prays that your Excellency's Government will be graciously pleased to extend the privilege, viz., the time of appearing at the Faculty Examination for a considerable period or at least till November, 1918, to all those who could not formerly avail themselves of the opportunity.

I have the honour to be,

Your Excellency's most obedient servant,

PARESCHANDRA SEN, Vakil,

Jt.-Secretary, Chittagong Association.

CHITTAGONG;

The 14th February, 1918.

By the Hon'ble Khan Sahib Aman Ali:—

18.

Will the Government be pleased to lay on the table a statement showing, district by district, the total number of registered medical practitioners in the Presidency as also the population of each district?

Number of registered medical practitioner in each dist with its population.

Answer by the Hon'ble Mr. Donald:—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. DONALD *to question No. 18 (Unstarred) asked by the Hon'ble* KHAN SAHIB AMAN ALI *at the Council meeting of the 3rd April, 1919, showing the population, district by district, of the Presidency of Bengal, as contained in the tables of the Census of India, 1911, Volume V, Bengal, Part II, and the number of registered Medical Practitioners of each district, as contained in the Annual Medical List, 1919.*

Name of district.	Population.	Registered Medical Practitioners
Burdwan Division.		
Burdwan	1,538,371	155
Birbhum	935,473	40
Bankura	1,138,670	45
Midnapore	2,821,201	87
Hooghly	1,090,097	141
Howrah	943,502	112
Presidency Division.		
24-Parganas	2,434,104	179
Calcutta	896,067	626
Nadia	1,617,846	99
Murshidabad	1,372,271	64
Jessore	1,758,264	56
Khulna	1,366,766	50
Rajshahi Division.		
Rajshahi	1,480,587	59
Dinajpur	1,687,863	39
Jalpaiguri	902,660	47
Darjeeling	265,550	38
Rangpur	2,385,330	70
Bogra	983,567	34
Pabna	1,428,586	73
Malda	1,004,159	25
Dacca Division.		
Dacca	2,960,402	160
Mymensingh	1,526,422	95
Faridpur	2,121,914	69
Bakarganj	2,428,911	53
Chittagong Division.		
Tipperah	2,430,138	51
Noakhali	1,302,090	29
Chittagong	1,508,433	48
Chittagong Hill-tracts	153,830	8

By the Hon'ble Khan Sahib Aman Ali:—

19.

Grant of hill allowance to the teachers of the Rangamati Government High English School.

With reference to the reply to my unstarred question No. 2 asked at the meeting of the Council of the 21st January last regarding the grant of hill allowance to the teachers of the Rangamati Government High English School, are the Government considering the desirability of—

(*i*) taking up at an early date the case of those poorly paid teachers residing at Rangamati with its many disadvantages, without waiting for the Director of Public Instruction to move in the matter; and

(*ii*) giving them the privilege with retrospective effect from the date on which the allowances of other officers were increased?

Answer by the Hon'ble Mr. O'Malley:—

" (*i*) The Director of Public Instruction is being asked to give the matter his early attention.

(*ii*) It is not usual to grant retrospective effect to any such privilege. nor can any hopes be held out that orders will issue with retrospective effect in the present case."

By the Hon'ble Khan Sahib Aman Ali:—

20.

New recurring grant for Government high school teachers.

(*a*) With reference to the reply to my unstarred question No. 3 asked at the meeting of the Council of the 21st January last regarding the new recurring grant for Government high school teachers, will the Government be pleased to state why the teachers cannot get the benefit of that grant from the 1st April, 1917?

(*b*) If the increment of pay from that very date cannot be granted, will the Government be pleased to grant some bonuses to the poorly paid teachers in the place of increment of pay?

(*c*) Is there any likelihood of the educational grant lapsing after a period of three years from the date of the grant?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) and (*b*) It is not possible to utilize the grant for the benefit of the teachers in question until the sanction of the Government of India to the proposals of this Government is received.

(*c*) It is presumed that the question relates to the possibility of the 9 lakhs grant made to this Government by the Government of India being discontinued. The grant is recurring and is therefore not likely to be discontinued within three years after it was first made."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

21.

(*a*) Will the Government be pleased to state— Appointments in the provincial judicial service.

(*i*) how many appointments in the provincial judicial service are likely to be made up to the end of March, 1920;

(*ii*) whether the nomination for probable vacancies up to the end of March, 1920, has already been made; and

(*iii*) how many appointments have been made since April, 1918?

(*b*) Is it a fact that the names of certain enrolled candidates have been removed from the "list of enrolled candidates" on the ground that they are not likely to get an appointment by March, 1920?

Answer by the Hon'ble Mr. Duval:—

"(*a*) (*i*) Fifteen.

(*ii*) Yes.

(*iii*) Eighteen.

(*b*) Yes."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

22.

Will the Government be pleased to lay on the table a tabular statement showing— Particulars as to certain officer of the provincial judicial service.

(*a*) the names and residences of the persons referred to in clauses (*a*) and (*b*) of question No. 21;

(*b*) the ages of the persons referred to in clauses (*a*) and (*b*) of question No. 21 on the dates of—

(*i*) their nomination,

(*ii*) the removal of their names from the list of enrolled candidates, and

(*iii*) their appointment,

referred to in clauses (*a*) and (*b*) of question No. 21;

(*c*) in detail the educational career of the persons referred to in clauses (*a*) and (*b*) giving the division in which such persons passed the B.A. or B.Sc. or M.A. or M.Sc. and B. L. examinations; and

(*d*) the special reasons, if any, for—

(*i*) their nomination,

(*ii*) the removal of their names from the list of enrolled candidates, and

(*iii*) their appointment,

referred to in clauses (*a*) and (*b*) of question No. 21?

Answer by the Hon'ble Mr. Duval:—

"(*a*), (*b*) and (*c*) Statements containing this information are laid on the table.

(*d*) Government cannot give the reasons for the nomination or striking off the list of each candidate. The Hon'ble High Court fully considered the case of every candidate before removing his name from the list."

Statements referred to in the answer by the Hon'ble MR. DUVAL *to question No. 22 (Unstarred) asked by the Hon'ble* BABU KISHORI MOHAN CHAUDHURI *at the Council meeting of the 3rd April, 1919.*

I.

Names of Candidates nominated or selected for appointments to the Provincial Judicial Service.

Serial No.	NAME.	Residence.	Age at the time of nomination or selection.	Age at the time of appointment.	Educational qualifications.
			Y. M.	Y. M.	
1	Babu Sharat Chandra Ray Chaudhuri.	24-Parganas ...	28 10	28 11	M. A. and B. L. in the 2nd division.
2	Maulvi Altaf Ahmed ...	Jessore ...	28 7	28 8	B. L. in the 2nd division.
3	Mr. Satish Chandra Bagchi	Dibrugarh, Assam	28 7	28 9	Barrister-at-Law.
4	Babu Pratul Chandra Ray	Hooghly ...	28 4	28 5	B. L. first in 1st class. Tagore Medalist
5	,, Bhanindra Kumar Singh.	Nadia ...	28 3	28 3	B. L. in the 2nd division.
6	,, Narendra Nath Sen Gupta.	Faridpur ...	28 3	28 4	M. Sc. in the 3rd division and B. L. in the 2nd division.
7	Babu Sachi Kanta Ray ...	Dacca ...	28 2	28 3	B. L. in the 1st division.
8	,, Priya Brata Sen ...	Hooghly ...	27 9	27 11	M. A. in the 3rd division and B. L. in the 2nd division.
9	,, Jyotirindra Narayan Bagchi.	Nadia ...	27 9	27 11	B. L. in the 2nd division Intermediate Law Examination in the 1st division.
10	,, Naresh Chandra Chakrabarti.	Dacca ...	27 7	27 9	B. L. in the 2nd division.
11	,, Nagendra Chandra Ganguly.	Faridpur ...	27 4	27 6	M. A. in the 3rd division and B. L. in the 1st division.
12	,, Ashutosh Das ...	Sylhet ...	27 1	...	B. L. in the 2nd division.
13	,, Anukul Chandra Sanyal.	Pabna ...	26 5	26 7	M. A. in the 2nd division and B. L. in the 1st division.
14	,, Jyotish Chandra Ghosh.	Calcutta ...	27 5	...	B. L. in the 2nd division.
15	,, Indu Bhushan Biswas	Bakarganj ...	27 3	27 5	B. L. in the 2nd division.

II.

Names of candidates who have been removed from the list of enrolled candidates.

Serial No.	Name.	Residence.	Age at the time of removal.		Educational qualifications.
			Y.	M.	
1	Babu Ashutosh Chakrabartti ...	Pabna ...	28	10	M. A. in the 3rd division and B. L. in the 2nd division.
2	,, Rajendra Lal Mitra ...	Hooghly ...	28	6	B. L. in the 2nd division.
3	,, Priya Nath Ghosh ...	Dacca ...	28	2	M. A. in the 3rd division and B. L. in the 2nd division.
4	,, Krishna Chandra Chatarji ...	Hooghly ...	28	9	B. L. in the 1st division.
5	,, Kali Das Sen	Khulna ...	28	9	M. A. and B. L. in the 2nd division.
6	,, Shibanarayan Basu ..	Calcutta ...	28	1	M. Sc. in the 3rd division and B.L. in the 1st division.
7	,, Gyanendra Nath Datta ...	Midnapore ...	28	10	M. A. and B. L in the 2nd division.
8	,, Kshitish Chandra Bhattacharji	Mymensingh ...	28	7	B. L. in the 1st division.
9	,, Paresh Chandra Basu ...	Mymensingh ...	28	9	B L in the 2nd division.
10	,, Nagendra Kumar Bhattacharji	Murshidabad ...	28	9	B. L. in the 1st division
11	,, Atindra Nath Mukharji ...	Nadia ...	27	11	M. A and B L in the 2nd division.
12	,, Girija Bhushan Mukharu ...	Calcutta ...	28	5	M. A. and B L. in the 2nd division.
13	,, Saroj Mohan Mukharji ...	Calcutta ...	28	6	B. L. in the 2nd division.
14	,, Rajendra Chandra Ghosh ...	Murshidabad ...	28	2	M. A. in the 3rd division and B. L. in the 2nd division.
15	,, Hiralal Maitra	Faridpur ...	28	4	B. L in the 1st division.
16	,, Debendra Nath Sanyal ..	Mymensingh ...	28	9	M. A. in the 2nd division and B. L. in the 1st division.
17	,, Brojendra Nath Lahiri ...	Faridpur ...	28	6	B L. in the 1st division.
18	,, Kritarta Nath Maitra ...	Rajshahi ...	28	1	M. Sc. and B. L. in the 1st division.
19	, Paresh Nath Basu ...	Dacca ...	28	7	M. Sc. and B. L. in the 2nd division.
20	,, Jitendra Kumar Sen Gupta ...	Noakhali ...	28	5	M Sc. in the 2nd division and B. L. in the 1st division.
21	,, Padma Lochan Ganguli ...	Nadia ...	28	9	M. A. in the 3rd division and B. L. in the 2nd division.
22	,, Pramod Nath Ray Chaudhuri ...	Noakhali ...	28	2	B. L. in the 1st division.
23	,, Debendra Nath Gupta	Bakarganj ...	28	0	M. A. and B. L. in the 2nd division.
24	,, Ban Bihari Sarkar ...	Nadia ...	28	5	M. A. in the 3rd division and B. L. in the 2nd division.
25	,, Nirmal Chandra Das Gupta ...	Bakarganj ...	28	7	B. L. in the 2nd division.
26	,, Manamohan Kanjilal ...	Noakhali ...	28	2	M. A. and B L. in the 2nd division.
27	Maulvi Abdus Sobhan ...	Tippera ...	28	0	B. L. in the 2nd division.
28	Babu Amulya Chandra Banarji ...	Bakarganj ...	28	3	M. A. and B. L. in the 2nd division.
29	Mr. Mazheruddin Ahmed ...	Chittagong ...	28	0	Barrister-at-Law.
30	Babu Umesh Chandra Sen ...	Mymensingh ...	27	11	M. A. in the 3rd division and B. L. in the 2nd division.
31	,, Debendra Nath Mukharji ...	24-Parganas ...	28	1	M. A. and B. L. in the 2nd division.
32	,, Nalini Kanta Basu ...	Khulna ...	28	2	M. A. in the 3rd division and B. L. in the 2nd division.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

23.

Desecration of the image of *Saraswati* by Mr. A. B. Johnston.

Will the Government be pleased to lay on the table a copy of the petition of complaint and of the judgment by the Presidency Magistrate, Calcutta, in connection with the action of Mr. A. B. Johnston, Acting Principal of St. Paul's Cathedral College, Calcutta, in throwing the image of *Saraswati* into a dustbin in Amherst Street, Calcutta?

Answer by the Hon'ble Mr. Duval:—

"Copies of the petition and the order of the Presidency Magistrate are laid on the table."

Documents referred to in the answer by the Hon'ble MR. DUVAL *to question No. 23 (Unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 3rd April, 1919.*

IN THE COURT OF THE NORTHERN DIVISION PRESIDENCY MAGISTRATE, CALCUTTA.

JITENDRA LAL BANERJEE, of 84, Sitaram Ghosh's Street, Calcutta,

versus

A. B. JOHNSTON, of 33-1, Amherst Street, Calcutta.

CHARGE :—Under Section 295, I. P. C.

Facts in brief.

The complainant is a member of the Hindu community and is a Hindu by faith and practice. The accused is a Christian and is the Principal of the St. Paul's Cathedral Mission College, Calcutta. As Hindus, the complainant and other members of the Hindu community worship *Saraswati*, the goddess of Learning, and hold her image as a sacred object.

This year some Hindu students of the St. Paul's College performed the worship of *Saraswati*, by erecting an image and with proper ceremonial, on the 5th of February last, at a house in Nursing's Lane. But as the house had to be vacated on the very next day and as the said students could not arrange for the immersion of the image so had the same removed on 6th February, 1919, to the dining-hall of a Hindu mess attached to their college and located within the college precincts. The accused, on receiving information of this, came down from his quarters, enquired of some students as to why the image had been brought there and by whom, and directed it to be removed at once. Accordingly the students instructed a Hindu servant of theirs to take back the image to the place where it had been worshipped and keep it there for the night. It being past 9-30 P.M. the students could not leave their quarters to accompany the servant; but the accused followed the servant outside the compound and there ordered the servant to deposit the image on the footpath. The servant having done so, the accused caught hold of the image and threw it into a dustbin which stood near by and which is meant as a receptacle for street refuse, thereby defiling an object held sacred by the complainant and the Hindu community generally and committing a grave and wanton outrage on the feelings of the Hindu community.

The accused was asked to apologise but has not done so though sufficient time was granted to him for the same.

Complainant prays for process against the accused under section 295, Indian Penal Code.

CALCUTTA, (Sd.) JITENDRA LAL BANERJEE.

The 18th February, 1919.

(Sd.) B. N. DUTT,
Pleader.

Order on the back of the petition :—

Apology—put in file.

(Sd.) E. KEAYS—5-3-1919.

By the Hon'ble Babu Bhabendra Chandra Ray:—

24.

(*a*) Is it a fact that the late Mr. B. Pal Chowdhury, zamindar of Nadia, left a bequest of a considerable portion of the income of his estate, estimated at between 30 to 40 thousand rupees a year, to the District Board of Nadia, for the purpose of establishing and maintaining primary schools in villages appertaining to his estate, and also for establishing and maintaining a technical institute in Krishnagar or in any other suitable place within the estate? Bequest by the late Mr. B. Pal Chowdhury for establishment of primary schools.

(*b*) If so, will the Government be pleased to state what steps have been taken by the District Board of Nadia in the matter?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) Government are informed that in his will Mr. B. Pal Chaudhury, zamindar of Maheshganj, Nadia, made a bequest under certain conditions of a percentage of the profits of his estate approximately for the purposes mentioned in the question.

(*b*) It is reported that the District Board has for some years past been trying to obtain the money from the trustees of the estate, but have met with the reply first that there were no profits up to the end of the Bengali year 1324 and recently that the scheme contained in the will for the appointment of a Board of Trustees is not valid in law and that the Board which was formed has no *locus standi*."

By the Hon'ble Babu Bhabendra Chandra Ray:—

25.

(*a*) With reference to the answer to my unstarred question No. 9 of the 5th March last, regarding free-studentships in primary schools, will the Government be pleased to state whether the rules for the award of free-studentships in Government and Government-aided schools, referred to therein, prescribe any maximum number of such studentships? Free-studentships in primary schools.

(*b*) If so, what is the purport of such rules?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) and (*b*) A copy of the rules for the award of free-studentships in Government as well as in Government-aided schools is laid on the table."

Rules referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 25 (Unstarred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council meeting of the 3rd April, 1919, for the award of Free-studentships in Government as well as in Government-aided Schools.*

1. (*a*) Free-studentships in Government schools under the control of managing committees are awarded by the committee.

(*b*) The Inspector and the Inspectress of Schools control the award of free-studentships in Government schools for boys (including mixed schools) and Government schools for girls, respectively, which are not under managing committees.

2. Teachers in Government schools, drawing salaries not exceeding Rs. 50 a month, are allowed the privilege of educating, in the school in which they are employed, one child free and one child at half the usual rate of fees. Head Masters or Head Mistresses may grant these concessions.

3. Government pensioners (other than menials) who have retired from service in the Department of Public Instruction, and whose pensions do not exceed Rs. 25 a month, may be allowed the same privileges as teachers in Government schools. The concessions may also be extended to the orphans of officers who died in the service of the department while in the receipt of pay not exceeding Rs. 50 a month; and also to the orphans of pensioners of the department (other than menials) who were drawing pensions not exceeding Rs. 25 a month.

4. In Government as well as in Government-aided schools the numbers of non-Muhammadan and Muhammadan free students will ordinarily be five per cent. of their respective enrolments, excluding free places granted in terms of the two preceding rules as well as scholarship-holders who have been granted free tuition.

5. In view of the backwardness of the Moslem community Muhammadan pupils in Government as well as in Government-aided schools will be allowed additional free places (over and above those provided for in the preceding rule) up to a limit of a further ten per cent. of their own enrolment.

6. No pupil shall be eligible for a free-studentship who is above the age-limits prescribed in the Appendix on the 1st January of the year in which the award is made.

7. Boys above those age-limits, who have already been awarded free-studentships, may be allowed to enjoy these privileges so long as they fulfil the condition laid down in rule 8.

8. Free-studentships are awarded on conditions of good conduct and satisfactory progress as determined by school examination.

APPENDIX.

Age Limitation.

DACCA, CHITTAGONG AND RAJSHAHI DIVISIONS.		PRESIDENCY AND BURDWAN DIVISIONS.	
Class.	Age-limit for free students. Years.	Class.	Age-limit for free students. Years.
X	16	I	16
IX	15	II	15
VIII	14	III	14
VII	13	IV	13
Standard.		Standard.	
VI	12	VI	12
V	11	V	11
IV	10	IV	10
III	9	III	9

By the Hon'ble Babu Bhabendra Chandra Ray:—

26.

(*a*) With reference to the Imperial recurring grant of Rs. 9 lakhs for improving the pay and training of teachers, have the Government drawn up any comprehensive scheme for the utilization of this grant?

Imperial recurring grant for improvement of pay and training of teachers.

(*b*) If so, will the Government be pleased to indicate the outlines of the scheme?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) The answer is in the affirmative.

(*b*) A statement showing how it is proposed to utilise the grant is laid on the table."

Statement referred to in the answer by the Hon'ble Mr. O'Malley *to question No. 26 (Unstarred) asked by the* Hon'ble Babu Bhabendra Chandra Ray *at the Council meeting of the 3rd April, 1919, showing the main heads on which this Government propose to spend the Imperial recurring grant of Rs. 9,00,000.*

Secondary education.	Amount.	Remarks.
	Rs.	
(1) Improving the staff and increasing the pay of teachers in Government high schools	3,09,876	The proposal is under discussion with the Government of India.
(2) Improving the staff and increasing the pay of teachers in Government middle English schools	6,120	Sanctioned and money allotted for expenditure.
(3) Grants-in-aid to Municipal high schools for the improvement of the staff of teachers	12,072	Sanctioned and money allotted for expenditure.
(4) Grants for aided and unaided high and middle English schools for the increase of the pay of teachers ...	1,19,382	The proposal is under discussion with the Government of India.
(5) Grant of local allowances at Rs. 20 per mensem to assistant head masters of five first-grade training or normal schools for vernacular teachers ...	1,200	Sanctioned and money allotted for expenditure.
(6) Grant of honoraria to selected members of the staff of the practising schools attached to the Dacca Training College	1,350	Sanctioned and money allotted.

Primary education		Amount.	Remarks.
	Rs.	Rs.	
(7)(*a*) Increase of pay of each trained teacher in primary schools by Rs. 2 per mensem	1,53,000		
(*b*) Increase of the present allotment in order to allow for an increase in the number of trained teachers ...	41,000		
		1,94,000	Sanctioned and money allotted for expenditure.
(8) Enhancement of the pay of teachers in girls' primary schools in District Board areas		35,560	Sanctioned and money allotted.
(9) Payment of a recurring grant of Rs. 15,000 per annum (in addition to the grants sanctioned for primary education) to the District Board, Midnapore, in order to enable it to pay a subsistence allowance of Rs. 3 and Rs. 2, respectively, to the head guru and second guru in aided upper primary schools		15,000	Sanctioned and money allotted.
Secondary Education.			
(10) Inauguration of a reformed scheme for the training of teachers in boys' primary schools of which the main features are— (*i*) the provision in a central place in 80 subdivisions of a single training school with class room and hostel accommodation for teachers, (*ii*) the introduction of a uniform rate of stipends for students under training at Rs. 10 per mensem, and (*iii*) the appointment in each school of an improved staff.		1,55,440	The proposal is under discussion with the Government of India.
(11) Construction of buildings for the training schools referred to above ...		50,000	Sanctioned and money allotted.

By the Hon'ble Babu Bhabendra Chandra Ray:—

27.

Particulars of probable savings under the head "Education" in the Budget estimate of 1919-20.

With reference to the probable savings of Rs. 12 lakhs and odd shown under the expenditure head of "Education" in the Budget estimate of 1919-20, will the Government be pleased to state how this figure has been arrived at, and what particular savings are expected to be made under each minor head?

Answer by the Hon'ble Mr. Donald:—

"The Government of India directed the inclusion in the Budget estimates of the following allotments to give effect to the recommendations of the Calcutta University Commission for—

(*a*) schemes recommended by the Commission—Rs. 10 lakhs, and

(*b*) the new Dacca University—Rs. 5 lakhs.

Government were of opinion that a decision was not likely to be arrived at on the recommendations of the Commission in time to admit of expenditure

during the year to an amount in excess of Rs. 3 lakhs, and a saving of Rs. 12 lakhs is, therefore, shown against the total of these allotments. Should it be found, however, that a large expenditure is practicable, sums up to the full amount of Rs. 15 lakhs will be available."

By the Hon'ble Babu Bhabendra Chandra Ray:—

28.

Manufacture of salt by Indians.

(*a*) With reference to the answer to my unstarred question No. 11 of the 5th March last, regarding the manufacture of salt by Indians, will the Government be pleased to state the "conditions" under which Mr. P. C. Dass of Cox's Bazar desired to manufacture salt, and in what respects the said conditions did not provide adequate safeguards for the Government revenue?

(*b*) How do the said conditions differ from the conditions under which Mr. Glen George is manufacturing salt, in so far as security for Government revenue is concerned?

(*c*) With reference to the two applications made by Surendra Chandra Ghosal and others, as also by Mahendra Chandra Ghosal and others of Chittagong, have the Government made any inquiries from them since they were asked to consult the salt department?

Answer by the Hon'ble Mr. Donald:—

"(*a*) The applicant desired that no special arrangements should be made for the necessary supervision over manufacture and that no extra preventive staff should be entertained for this purpose till such time as the project was matured. Government concurred in the opinion of the Commissioner of Excise and Salt and of the local authorities that as the manufacture would extend over a considerable area, and as it was quite possible that even with the best intentions the applicant would be unable to guard against illicit appropriations, this condition could not be accepted.

(*b*) Mr. Glen George has agreed to the employment of a special staff for the purpose of supervising the manufacture of salt.

(*c*) No."

By the Hon'ble Babu Bhabendra Chandra Ray:—

29.

Suitability of the Chittagong and Midnapore brine for the manufacture of salt.

(*a*) Are the Government aware of the suitability of the brine on the Chittagong side for the manufacture of salt, and have they any information as to the comparative advantages of such manufacture on the Midnapore and Chittagong sides, respectively?

(*b*) What steps, if any, have Government so far taken to encourage the manufacture of salt on the Chittagong side?

Answer by the Hon'ble Mr. Donald:—

"(*a*) The Hon'ble Member is referred to the speech made in this Council by the Hon'ble Mr. Donald on the 22nd January, 1918, in the debate on the resolution moved by the Hon'ble Babu S. N. Ray. While on the one hand the brine on the south of the Chittagong district may be better than that of the Midnapore coast, Chittagong is unfavourably situated as compared with Midnapore in respect of other factors—proximity to the chief markets, coal, etc.

(*b*) Government have taken no further action than that already indicated in the speech referred to."

LIST OF BUSINESS—ITEM No. 2.

DISCUSSION OF THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1919-20.

The Hon'ble Babu Siv Narayan Mukharji said :—

My Lord, I feel sure I have the concurrence of my hon'ble colleagues in m conviction that we are grateful for the opportunity afforded to us, by th invitation of your Excellency's Government, of advancing our views on th Budget for the coming year which was presented at the last meeting of thi Council. Concocted by the brains of able financiers and passing through th deft fingers of expert statisticians the statement, with all its seemin discrepancies punctiliously explained away, its dry-as-dust character relieve by the almost irrefutable logic of expediency and justice, stands out to-da in all its wealth of details and its hopeful forecast of a year of prosperity, as finished piece of financial programme for the dawning year. Ordinarily th long arrays of figures which increase the bulk of such statements have eithe a sleep-inducing tendency or have the effect of scaring away the superficia observer. But, having regard to the abnormal conditions that prevaile during the four eventful years of the great European War, and from th effects of which this country has not yet completely recovered, it may b asserted without fear of contradiction that the Hon'ble Finance Member ha deserved well of the country for having rendered real service to the State b introducing a statement which, on its receipts side, reveals a state of pros perity and advancement and on its expenditure side (except perhaps in th case of certain important branches of administration) gives clear indication o a policy of strict economy quite in keeping with the situation created by th war. But, while I feel bound to congratulate the Hon'ble Finance Member o his anticipating still further growth of revenue under stamp, excise an income tax in particular, as also on his providing for a large increase o expenditure under education, sanitation and public works, I cannot hel giving expression to a sense of disappointment for the absence of an provision first for bringing down and then regulating the prices of food-stuff and clothes. In seeking the indulgence of submitting to this House, by wa of a digression of outstanding significance, this question of questions, that o the prime necessaries of life, I hope I do not expose myself to the imputation which the foremost British statesman of the last century levelled against certain members of Parliament when he declared that "efforts are constantl being made by the different sections of the House of Commons to press for ar increase in the public expenditure for the promotion of their own favourit ideas." The prices of food and raiment have gone up beyond all expectation more in fact than double of what 20 years ago would have been considere as famine prices, and people of all classes have begun to throw up their arms in despair. Is it not, my Lord, time that Government should, even at som cost, devise means to feed and clothe their many millions of subjects at a moderate cost, and with that object in view, will it not be politic, nay, will it not be just, to make some provision in the Budget estimates for th approaching year? But, while I expouse the cause of those who are at this hour actually feeling the pinch, I am confronted with the fact that the expected increase in the income under excise is due to the increased consumption o country spirits in certain districts. Paradoxical though it may appear I have my explanation in the fact that I plead not for those low class men who are either employed in the mills or who live on daily wages and have no thought for the morrow and with whom the epicurean doctrine of "eat, drink, and be merry" is the guiding rule of life, but for those of the better classes whose frugality, sobriety and continence are of very little avail in their hard struggle for existence. To them the State is morally bound to render every help in order that they may get on and not die of absolute want. The fact,

therefore, of the probable revenue under "excise" exhibiting extraordinary elasticity would form an index to the extent of the moral depravity of those sections of the population that would contribute towards it.

We have the assurance of the Hon'ble Finance Member that the imposition of the excess profits duty will result in a loss of income-tax since a rebate will be given. This apparent loss, because only a paper transaction, will, however, be accentuated by the decision of the Government of India to exempt incomes below Rs. 2,000 *per annum*. This latter concession will be hailed by the public as a real blessing, and as such will be thankfully appreciated by them.

The Province cannot be too grateful to Government and to your Excellency personally for the generous provision made in the Budget under Sanitation for combating malaria, which claim over 4,000,000 annually as its victims, and furthermore for your Excellency's humane efforts to run to earth the insidious new malady known as the "hookworm disease," by ordering organized investigations to be made under the ægis of medical experts. But, my Lord, I crave the liberty to share the general impression that these maladies, malaria, hookworm, and all the rest, owe their origin to insufficient and unwholesome food, to insanitary habitations, and scanty clothing, and are but the inevitable offsprings of poverty. If, therefore, these evils have to be exterminated, and if real, permanent relief is to be imparted to the millions suffering from these scourges the condition of the ill-fed, ill-clothed masses will have first of all to be improved, and what in modern scientific parlance is known as their opsonic index will have to be raised. Until that is done there is very little hope of all humane efforts in this direction proving of any avail.

The expenditure side of the estimates does not show signs of any especial provision having been made for improving the local habitations and the general status of the primary schools which are going to be started when the Bill of which my friend the Hon'ble Babu Surendra Nath Ray is the sponsor becomes law. For some years past the unspent educational contribution of the Government of India has been allowed to be a veritable dead-letter and to swell the balance at the end of the year. The extent to which the resources of the Province will be drawn upon in giving effect to the recommendations of the education commission is not known; but there is no denying the fact that the demand upon the public revenues will be very large.

I cannot conclude without quoting what the late Mr. Gladstone once said regarding the guiding principles in matters of this kind:—"I admit that public economy is a matter of first importance, but it is not the only principle of sound finance."

The Hon'ble Kumar Shib Shekhareswar Ray said:—

My Lord, this year's Budget is of special interest to the community which I have the honour to represent in this Council, namely, the zamindars of Bengal. We and our tenants are vitally interested in agriculture, co-operative organization, primary education, village sanitation and general rural development, and I notice with grateful appreciation the liberal manner in which provisions have been made for these subjects in the current year's Budget.

Under the head "Agriculture", I find that arrangements have been made to give a District Agricultural Officer to each district and a new appointment of a Deputy Director of Agriculture has been sanctioned. An increase has also been made in the strength of farm superintendents. Provisions for buildings for imparting agricultural instructions and experimental farms also have received a fair treatment. Allotments to "divisional seed stores" and "public exhibitions", though do not show an increase over last year's Budget estimate, yet are in excess of what we find in the Revised Estimate of that year. I also understand that the residue of the special grant made by the Government of India last year, amounting to Rs. 1 lakh, is also available for expenditure this year.

Kumar S. S. Ray.

Considering the importance of the subject and the wide scope of develo ment and expansion which this subject affords, the allotments are by n means adequate, but in view of the present general want of activity, an disorganized condition of the Agricultural Department, I ought to say that tl funds which have been placed at its disposal are ample and satisfactory for tl present. It is to be regretted, my Lord, that the department could not spen the sum that was allotted to it last year under the heads "seed stores" an "public exhibitions", two of the most important items which could bring hom to us the practical usefulness of the department. There is a general impre sion in the public mind that this department is doing no useful work the other day, my friend, the Hon'ble Maulvi Fazl-ul-Haq, gave ver to this feeling. here in this Council; and I know, my Lord, that hi views are shared by a large section of the public, though I, for mysel do not quite subscribe to his views. I have gone through the variou reports of this department and I must say that, after all, this depar ment is rendering some service to the country, but I must admit at the sam time, my Lord, that this department has practically failed to secure publi interest in its work, and the fault, undoubtedly, is to be attributed t the Agricultural Department. The officials here, unfortunately, maintai an aloofness of experts and the reserve of a superior personality. They seer to forget that it is a department, success of which entirely depends on publi co-operation and encouragement from the big landholders. To give a instance, from the reports I find that there is a big establishment at Rajshah but I am sorry to observe that though I own a considerable tract in Rajshah and have much sympathy in matters concerning agriculture, yet I have n been able to discern any sign of its activity that, independently of its report would have led me to believe that there was such an establishment at Rajshal which, according to the reports, is, presumably, doing some useful work. M Lord, such is the case almost everywhere as I learn from my friends in oth parts of the province. This is a sad state of affairs: without public sympath the department can never flourish, and unless it co-operates with the public an makes an effort to come in closer contact with the people, all it experiments and researches come to naught. It is, therefore, necessary tha this department should be carefully organized to interest the public in it activities. It should not be allowed to finish its duty merely by carryin on experiments and researches away from the public gaze and publishin belated annual reports and issuing occasional statistical returns mostly base on guess-work, nor should we permit it to continue its mysterious metho of distributing seeds, its want of system in giving practical demonstration and above all its present stand-offish attitude and exaggerated notions self-sufficiency. Much surely depends on the various heads of this depar ment; if they are popular, energetic and have a heart in the success of the department they can surely evolve schemes and give effect to them an thereby make the whole thing a subject of popular interest. This is a matte which, if properly handled, is sure to attract the zemindars and raiyats alik But, my Lord, it appears that this department is manned, from top to botton only by learned experts engrossed in their theoretical experiments an scientific researches. In this way the department will surely become highly qualified and academically valuable State Research Society, but neve an institution from which our average agriculturists might expect som practical help. I would, therefore, most respectfully urge, my Lord, that thi department be properly organized on practical lines of public utility an general popularity, and that a man or two, endowed with a little power imagination, and having some initiative and organizing capacity, be taken int the department, so that, my friend, the Hon'ble Maulvi Fazl-ul-Haq, may n have an occasion next year to denounce the department as he did this yea so eloquently, surely not because of its uselessness as a department, but, think, rather because of its failure to demonstrate its usefulness.

My Lord, I now turn to a more popular department, namely, the Co-opera tive Department. What the personality of the head of a department and hi

determination and sincerity of purpose can achieve, is amply illustrated in this department. I am glad to find that this department has received a grant of Rs. 1 lakh in excess of its last year's Budget, and an additional grant of Rs. 30,000 for quarters for the Joint-Registrar at Naogaon. Speaking of these quarters, I fail to understand why an out-of-the-way place like Naogaon has been selected for the seat of the Joint-Registrar. Naogaon is a ganja growing tract, and ganja has undoubtedly a peculiar charm about it, and presumably co-operation must have been highly successful among people living in a ganja atmosphere to justify the selection of Naogaon for the quarters of the Joint-Registrar, but as a matter of principle, these seats should be located at the headquarters stations of the districts where these officers would have a much greater field for their work. I am also led to think that a very large portion of the allotment to this department is being absorbed in salaries, and I beg to submit that a larger portion should be spent on propaganda work, including public lectures and publication of useful literature. A decent provision has been made for the development of industrial societies and we eagerly wait to see the schemes which the Registrar is going to give effect to in this connection.

My Lord, Sanitation has received a very liberal consideration this year. We eagerly look forward to the results of various new investigations that are proposed to be taken up by this department. A lump allotment of nearly Rs. 14 lakhs has also been made to this department, but no detail of the schemes has been given on which the money is to be spent. The very vagueness about the allotment makes one to entertain the doubt that much of this amount would ultimately go to swell up the opening balance next year. I, however, hope that the Hon'ble Member in charge of this department would be pleased to give us some details regarding the proposals on which the amount is likely to be spent during the year, so that we might know in what way we are going to be benefited by this generous allotment to this department. I find that a sum of Rs. 10,000 has been provided for a Publicity Bureau in connection with Sanitation. I am, however, afraid that this is a very inadequate provision for the many useful and instructive schemes which the department proposes to undertake in this direction. I would, therefore, strongly urge upon the Government to divert, if possible, to this branch of work, some decent amount from the lump allotment of Rs. 14 lakhs to Sanitation. It is undoubtedly an excellent idea, but the work must be done on a scale which would enable us to properly appreciate the utility of a work of this nature.

My Lord, influenza has played havoc in the rural areas, and I would have felt much assured if the Government had properly realized the situation and made an adequate provision to combat the disease in these areas. I, however, still entertain a hope that special grants would be made to the Local Bodies to enable them to take precautionary measures against further ravages of this terrible disease in our rural areas.

My Lord, before I conclude, I acknowledge with much pleasure the consideration that has been shown to the petty clerks of the Registration Department, and this tempts me to hope, my Lord, that ere long your Excellency's Government would do something to improve the condition of the ministerial staff attached to the mufassal courts with a view to enable them to desist from resorting to extortion and other under-hand practices which have become a matter of serious concern to the litigant public in the mufassal.

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

I congratulate the Hon'ble Sir Henry Wheeler on his lucid presentment of the year's Budget. Its easily intelligible form is very acceptable, and next year further improvement may be possible in the shape of a good index or some method of flagging. There is noticeable increase of expenditure in some of the long neglected directions, and though the increase is not adequate under important headings like education, sanitation, co-operation and

productive public works, there is a welcome advance which makes or hope better for the future.

The grant to private colleges through the Director of Public Instructic on the recommendation of the University had been suspended for the pa few years This has told heavily on the situation, and the colleges whos sources are extremely limited have not been able to show the good work th could be well expected of them. The provision of Rs. 3 lakhs made in th Budget for University improvements will not meet the requirements abo which I speak. The private colleges require their old grant, and if th arrears cannot be paid off all in one year, the payment ought to be sprea over a short number of years. In Calcutta Lord Hardinge's generou hostel gift has, to a certain extent, relieved the situation so far as the res dential question is concerned, but the other difficulties continue and bot the Calcutta and mufassal private colleges badly require the arrears of th grant as early as possible.

The need of strengthening medical and technological education has bee strongly brought out. The primary education bill and the clearly indicate need of improving literacy in connection with the co-operative movemen will put the claims of primary education on an altogether new basi Anxious enquiries are often made about the Royal special grant for educatio but the answer has not proved satisfactory. The pay and prospects of ou teachers in the lower grades is another matter of anxiety. It is gratifyin that in the higher Educational Service recognition has at last been accorde to some selected members of the Provincial Service ; but it will always b noteworthy that the recognition came too late and that men like Sir P. C. Ro ended their career in the Provincial Service. With the end of the wa many of the Professors who have rendered admirable war service would b naturally returning to their posts and will have a warm welcome. Thei return, however, will naturally displace some worthy men who consente to take up temporary work, and would be now out of service. I would plea for their claims being recognized whenever possible. The success of th Bengal Ambulance Corps inaugurated within two days after the war brok out, which was followed by the Bengali Regiment, the Bengal Light Infantr and the Calcutta University Corps, makes one think that the authorities woul be inclined to nurse this spirit. If this spirit is to be effectively nurse the Boy Scout movement has to be placed on a more satisfactory footin and compulsory drill should be introduced in our schools and colleges.

This year there has not been the usual crop of resolutions for improvemen of the Provincial Executive and Judicial Services. This silence is not du merely to hoarseness of voice brought on by incessant but fruitless crie in the past ; nor is it silence of despair or of protest. Some of us successfull objected to the appointment of a fresh committee to consider the recommenda tion of the Public Services Co mmission on these subjects. Action in thi direction will be immediately necessary.

Though the public does not know much about it, the question of medica service is before what one cannot help calling a service committee. You Excellency has expressed great solicitude for the future of the medica and sanitary services of your Government, and it is to be hoped tha their interest will not be allowed to suffer by any side-issues raised through an agency that does not take the people sufficiently into its confidence. The Sanitary Department and the Sanitary Engineer's Department that have begun excellent work have been gradually remoulded for comprehensive work, and it is hoped that in districts city-sanitation will improve in consequence.

It is gratifying to note that important developments in connection with the co-operative movement are in contemplation, and one can only hope that the resolutions adopted in conferences like those at Simla and Calcutta this year and last year, will find acceptance. Without strengthening of the people's finances, by means of sound co-operation, the Reforms for which we are anxiously looking forward and all that is expected in their train, will be indefinitely deferred.

Sir D. P. Sarbadhikari.

There is an element which cruelly threatens people's prosperity and the strength of the Government from a different direction. Some of our friends in the official ranks took unaccountable pleasure in telling temperance representatives last year that the seeming shrinkage in the people's drink bill was not due to triumph of temperance principles, but to the passing disturbing factors of the moment and that the drink bill will go up with returning prosperity. They have, I am sorry to admit, partially proved good prophets, and though drink does not and cannot lead to prosperity returning, prosperity has apparently led to more drink.

The Hon'ble Member in charge has described the Excise revenue as the mainstay of the finances of the province, or, in other words, the Prosperity Budget of Bengal is fattened by alcohol and drugs.

The Excise receipts for 1916-17 were Rs. 1,44,00,000 as against Rs. 1,84,00,000 for the year before us. According to the revised figures there is a further increase of Rs. 3 lakhs under this head.

The introduction of many reforms, for which temperance workers are very thankful, partly accounts for this formidable increase. In Calcutta and some selected districts the auction system has been replaced by the fixed-fee system. More effective steps have been taken for stopping adulteration and illicit practices. But such abnormal increase makes not only temperance people but the whole country anxious.

I shall not for the moment raise the cry of total prohibition. It must, however, be the temperance cry in the immediate future, whatever the financial results may be; and in a matter like this Government will not be guided by mere considerations of finance. A great experiment is going on in the West and the Far West and nearer home in the Bhownagar State; the results will have to be carefully watched. If the evil is long allowed unchecked embarrassing complications will arise, and the East may have to witness what the West must be ashamed of to-day.

It cannot be questioned that no more than 10 per cent. of the people of Bengal are affected by drink and drug habits so far, and of this 10 per cent. 8 per cent. is guilty of excess and at the most 2 per cent. can be reckoned as legitimately wanting drink and drugs. With a people situate like this it would be very short-sighted indeed not to take early and effective steps for stopping excess in the case of the 8 per cent. and absolutely protecting the large residue of 90 per cent., who by heredity, traditions, climatic and economic conditions and social requirements are averse to drink and drugs.

Temperance workers are not the idealists and faddists that former Excise authorities proclaimed them to be and they try to meet the authorities halfway and to get the best that they can out of the situation. The dry educational area in Calcutta, started as an experimental measure, has entirely succeeded, and I have no doubt that the experiment will be further carried out not only in Calcutta but in other towns also. Better hours are now in force and a better class of vendors is being secured. It is almost settled that next year 15 country-spirit shops will be abolished, and with regard to location and sites the exertions of the licensing board have commended themselves to the Excise authorities in most instances. I take this opportunity of paying a warm tribute of whole-hearted admiration to Mr. A. N. Moberley, who, as Excise Commissioner, has done yeoman's service in the cause of temperance, without in the least hurting revenue.

He was loyally seconded by his personal assistant, his deputy commissioners, his superintendents and other officers who have all deserved well of temperance workers and the country. The department is daily having imposed on it more and more responsibilities and delicate duties, and as a self-contained department I would do much to see it placed on a more satisfactory footing. Purity and singleness of purpose must be the key-note of the success of the service. I believe in giving credit where it is due, and it is because so

much has been done in the past that more is naturally expected in the larger interest that I have the honour to represent.

We must now insist upon effective steps being taken to limit the consumption, both of country and foreign liquor, as has been done in the case of opium. In the 24-Parganas the increase was as much as 79 per cent. as compared with the previous year. In Hooghly the increase is 52 per cent. Similar increase is noticeable in Howrah. In Calcutta the increase is 10 per cent. In the district of Mymensingh the increase was noticeable though in the neighbouring district of Dacca, to its credit, no increase is noticeable. This would go against the theory of increase in country spirits being due to the higher price of foreign liquor, and it will probably appear on closer investigation that the increase is quite independent. For the lay outsider to get the innerness of the situation is exceedingly difficult, particularly as statistics are not furnished in the same way as is done in Great Britain and other countries where the situation is always closely watched. I am aware that a bold increase in the price and duty has been effected only very recently, namely, from 1st February. It is quite possible that a welcome change may follow this measure, initiated by the incoming Excise Commissioner, Mr. Mukherjee, whom I warmly welcome to the department.

We ought undoubtedly to wait and watch. In the meantime, however, there are some practical measures which may be well commended to the attention of the Government. Is there any reason, for example, why the strength of the country spirits should not be lower? The consumer would be no worse for getting 30 under-proof in the place of 25 or 50 under-proof in the place of 40. It would be all the better for him and revenue would be no worse. In the second instance it may well be urged that the experiment tried in the case of opium, namely, restricted consumption, by placing a limit on the quantity allowed to be sold by each shop, which has led to good results, should, at least in selected areas, be tried in the case of country liquors. It has also been suggested that the mixed system of what is known as off-and-on sale, that is to say, sale by bottles and sale by measures, for consumption on the premises may be done away with and some shops should be restricted to off-sales and others to on-sales at least in Calcutta. Some important changes have also to be introduced in the Foreign Liquor Traffic—the current licensing fee system has to be revised, which, I am sure, would result in a large increase of revenue; the credit sale system has to be stopped immediately and accounts and records ought to be kept properly.

That is not all. We require powerful counter-attraction as well. I claim with confidence that the difficulty elsewhere is not Bengal's difficulty yet, although a large labouring population from the United Provinces and Bihar has probably contributed to increase of consumption in the mill population and other labouring classes, for which Bengal proper cannot be held accountable. Popular entertainments, cinema shows, lectures and better organised tea-houses in suitable localities will yet counteract the evil.

Not the least important of our safeguards would be a well organized, contended and pure service.

Increase of revenue ought not to be the passport to an officer's preferment and he ought to feel the strength of security which a well-organized service alone can procure. The officer in this department ought not to enjoy a lesser status and lower pay than members of the Provincial Executive Service. I shall not now attempt to go into this question in detail, as the Public Service recommendations will soon come up for consideration.

It may appear remarkable in a temperance advocate to advocate the betterment of the pay and prospects of the department that he has constantly to challenge and fight. The reason is obvious and simple: better workers and better organization in the department itself is the only chance of temperance principles being ultimately and effectively enforced, for the ill-informed outsider, however critical, can but do little.

Sir R. N. Mookerjee; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Sir Rajendra Nath Mookerjee said :—

My Lord, it is a matter of satisfaction to the people of Bengal that the Government after having indulged in its traditional habit of *laissez faire* for over a century in industrial affairs as compared with other provinces is now showing signs of activity. The increased provisions in the Budget under the heads of Sanitation, Agriculture, Irrigation, Fishery and Development of Industries clearly indicate that the Government is earnest to take an active part in the industrial organization of the province. Agriculture and sanitation are the two important factors in the development of industries, and they are essential for the improvement of the economic condition of the people of this country, especially of the masses. We cannot be fully prepared to expand our industries until we are able to train labour to a higher standard of work. Industrialists in Bengal hailed with joy your Excellency's ardent desire to combat the malady of hook-worm. It is clearly established that this disease greatly impairs the energy and efficiency of our labour, and if this degenerating malady can be completely eradicated from the province of Bengal it will be a great blessing and will help the cause of industry. My Lord, I may be permitted to offer our grateful thanks to your Excellency for your foresight in this matter. Adverse criticisms have been made in this Council in regard to the grant in the Budget of a small sum of money for the expenditure on Fishery. Any one who has read the report of the Industrial Commission on this subject should be convinced of the prospects of this branch of industry in Madras where nearly two lakhs of rupees were expended in 1916-17, and I see no reason why in Bengal we should not be equally successful. In many countries this branch of industry is considered a national asset. In Bengal fish is a staple food and, therefore, Fishery should be organized on a scientific basis not for the sole purpose of increasing Government revenue but to develop this branch of industry in Bengal.

My Lord, attempts have been made by well-known leaders to divert the funds provided for Sanitation, Agriculture and Fishery to other channels. It is painful and hard to believe that our politicians are still not convinced and cannot yet realize that our political regeneration which we all cherish at heart depends upon the development of the industries and resources of the country.

Government have already taken steps to facilitate and improve technical education. It is also believed that Government will be able to give tangible assistance to mufassal municipalities who will be anxious to promote primary education on the lines of the new Act passed the other day, but who will be unable, owing to the poor condition of the people, to meet the increased expenditure that must be incurred. Technical and primary education must precede the progress of the expansion of industry.

The increased provision in the Budget for co-operative societies and the continuance of the support for the improvement of Cottage and Home Industries are calculated to further the cause of the improvement of the economic condition of the masses

It is obvious that Government are now seriously directing their attention to these matters, and I beg leave to congratulate the Government and to tender our grateful thanks to your Excellency for the interest Government are now taking for the improvement of the material condition of the province and to express an earnest hope that the Government will year by year steadily increase the Budget grants under the heads I have mentioned as circumstances could permit.

The Hon'ble A. K. Maulvi Fazl-ul-Haq said :—

My Lord, in offering a few remarks on this year's Budget, I wish to draw your Excellency's attention to the wasteful expenditure on certain departments, which in my opinion might profitably be stopped, and the saving thus effected utilised for more urgent and pressing needs of the

country. I do not know whether your Excellency will condescend to take these remarks into consideration, but I shall feel very much relieved when I have had my say in these matters, because I will then have the satisfaction of having raised a note of warning in time and thereby humbly attempted to have discharged my duty both towards your Excellency's Government and my country.

The first major head of expenditure on which I wish to offer a few remarks is Agriculture. The following figures will show the expenditure under this major head for the present as well as previous years :—

1916-17	...	...	...	... 7,56,116
1917-18	...	...	...	... 7,80,000
1918-19	...	...	...	... 10,80,000
1919-20	...	...	...	... 11,58,000

There is far more beneath this dry roll of figures than appears on the surface. During the three financial years 1916—19, a sum of more than 26 lakhs of rupees has been spent out of the revenues of the country over this particular department, and the public have a right to enquire what beneficial results, if any, have followed all this heavy expenditure. On a question like this, the self-laudatory annual reports of the department are of very little value. The departmental officers have got to justify themselves and their work, and they cannot but speak in the highest terms of their own achievements. The Government resolutions on the annual reports of the working of the various departments cannot also be expected to be too critical : for I believe it is a rule of official etiquette for Government officials not only to say no ill of one another, but to heap even ill-deserved praise on subordinates all along the line. In order, therefore, to get at correct facts and to form an accurate estimate of the working of any department, we have to look outside the pages of official reports and resolutions. We live in this country, and if anything remarkable has really been achieved, it ought to strike the eyes of the lay and unprejudiced public. In order to test the work of this particular department, from the point of view of actual achievements, let us see what the facts really are.

If we turn to the report of the department for 1917-18, we find that the Director of Agriculture claims that during the last 3 years the department has been able to show considerable progress. But when we come to read his summary of the progress it amounts to this, that there is now scarcely "a district in the province where the seed of departmentally-selected varieties has not been distributed." Over and above this, the activities of the department seem to have been confined to certain matters about which a vague idea is conveyed to the public mind by means of the technical botanical terms in which this portion of the report is couched. The most important part of the work is no doubt about the experiments conducted in what is known as the Kakhya-Bombai jute and the Indra-Sail variety of rice. This is all the sum total of the results of the many-sided activities of the department for which more than 26 lakhs of public money have been spent during only the last 3 years.

My Lord, the popular feeling is that the department is not being properly worked and that the money spent is disproportionately excessive as compared with the results achieved. This is not my own personal view, but I believe this view is shared by many of my colleagues in this Council and by an overwhelming number of my countrymen outside. My friend the Hon'ble Kumar Shib Shekhareswar Ray has lent the weight of his opinion to the view which I now put forward in this Council, and I am glad that he has spoken out in clear and unmistakeable terms. The following are however the chief points on which efforts should be concentrated to economize expenditure.

First.—There is hardly any necessity for the highly-paid staff which is being maintained by the department. We find that out of the 26 lakhs which I have spoken of as having been spent on the department, a sum of over Rs. 8 lakhs has been absorbed by the salaries and allowances of the Director and his troop of assistants. This is really paying too much for the whistle. I do not object to one or two experts being retained in the department, but most of the other posts ought to be either abolished or replaced by others of lesser value. This is one of the few departments where the head of the department need not be a highly-paid European officer at all. The Director might more properly be an Indian with the necessary qualifications, and I believe there are even now several Indian officers in the department who can be safely placed in charge of the work.

Secondly.—Government must realize that for a large amount of the work of the department, non-official help and sympathy must be sought and secured. It is no use telling us that non-officials are not coming forward in larger numbers. Proper efforts must be made and in the proper spirit, and it will be found that non-officials will come forward far beyond expectation.

Thirdly.—Strict watch should be kept over the amounts spent under the head "touring charges." In last year's Budget a sum of Rs 55,000 had been allotted, and this year the allotment has gone up to Rs. 66,000. I can assure your Excellency that the major portion of these allotments represents money that has been absolutely mis-spent in the past and will not be better spent in the current year. The system itself is also responsible to a certain extent for all this waste. We are told that there are officers who have spent as many as 28 days out of every 30 days on an average on tour. This is a physically impossible feat and it is obvious that much of the touring can be classed in that category only technically, and ought never to entitle the officer to any touring allowance. Under present conditions, an officer has only to move more than 5 miles away from his headquarters and he is then supposed to be on tour, even though he may be on a visit to his father-in-law's house or to renew old ties with distant relations and friends or have a good time of it with a cousin or a sister-in-law. He is entitled under the rules to be reimbursed from public coffers, and this at so generous a rate that the officer is able not only to recoup himself, but also make a substantial profit which he looks upon as a legitimate addition to his salary. It is difficult for the head of the department to exercise any effective check or control on such irresponsible touring, for the officer concerned has only to mention that he was imparting agricultural education or carrying on demonstrations at some experimental farm, or supervising the demonstration of Kakhya-Bombai jute or distributing packets of Indra-Sail seed for transplanted winter rice. I confess that all these remarks imply a serious reflection on the integrity and honesty of the officers; but I can assure your Excellency that this picture is not at all drawn from my imagination, but generally reflects the popular impression in these matters.

Fourthly.—More money should not be handed over to the department than can be properly utilized or spent by it. In every case sufficient details ought to be given of the nature of the contemplated expenditure. It is extremely objectionable to hand over large sums to a spending department under the head "Miscellaneous" and then give the officers of the department a blank cheque to deal with this money as they please. We find that under the head of "Experimental Farm" a sum of Rs. 81,580 and under the minor head of "Sericulture" a sum of Rs. 60,000 have provided for under this vague heading of "Miscellaneous." I can only say that a provision in the Budget for an expenditure of nearly a lakh and-a-half, without any specification of what the expenditure is likely to be, seems hardly a justifiable method of imparting information to the public as to the manner in which public money is going to be spent.

My Lord, I next pass on to another department, where again public money is being wholly wasted under a delusion that the greatest possible good is being done to the people of the country by the activities of the department.

Maulvi A. K. Fazl-ul-Haq.

I refer to the Department of Co-operative Credit. Here again I do not wish to underrate the importance of the department itself, for I know very well that co-operation in various forms has produced marvellous results in all civilized countries; and I can have no doubt that, if properly guided, the co-operative movement will also do for my countrymen what it has done for mankind in other parts of the world. Unfortunately, however, in this department too money is unnecessarily wasted and the tendency of Government is to go on increasing the Budget allotments without waiting to see whether money already placed at the disposal of the department has been properly utilized or not. The Registrar himself is a highly-paid officer on Rs. 1,500 a month *plus* a local allowance of Rs. 150 a month; he has one Personal Assistant on Rs. 400 a month, and 4 joint-registrars, 1 on Rs. 500 a month and 3 on Rs. 400 a month, each drawing a local allowance of Rs. 100 a month. Over and above all these, there is a chief auditor, 22 inspectors, 14 auditors and it is proposed to appoint 20 more inspectors and 2 divisional auditors with a correspondingly large increase in the clerical staff of the department. Now, what is the work which all these officers are expected to do? There are roughly 3,200 co-operative societies of all kinds in the province and if this number is distributed amongst the 64 officers I have mentioned, they will each have about 50 societies a year to look after. Having regard to the fact that the officers of this department are supposed to be exceptionally brisk and active and can spend on an average about 300 days in the year on tour, each officer will have roughly 6 days to devote to a co-operative society in his charge. I do not mean to say that this is exactly what will happen; but this calculation will give the members of this Council an idea of the disproportionately large increase of officers as compared with the co-operative societies placed in their charge. I wish to make the following specific remarks as regards this department:—

First.—The Registrar need not be a highly-paid member of the Indian Civil Service. I believe there is a standing circular order of the Secretary of State that the Bengal Registrar must always be an I. C. S. man; I am speaking from memory, and if I am right in my recollection, this bar to the appointment of other qualified men to the post should at once be removed. In my opinion the Registrar need not be an I. C. S. man at all, but an Indian on a much lower pay.

Secondly.—The Registrar may be given one Personal Assistant, but all his other gazetted appendices should be removed as early as possible.

Thirdly.—Strict control should be exercised over the touring expenses of officers. The same remarks apply here as in the case of officers in the Agricultural Department. There is an allotment in the Budget of Rs. 60,000 as the travelling allowance of officers and establishment; this is simply a monstrous waste. I have no doubt that a large portion of this amount will be absolutely unjustified expenditure.

I find also the following allotments for this department in the Budget:—

	Rs.
Temporary establishment	15,000
Lump provision for additional establishment ...	32,336
Office expenses and miscellaneous ...	15,000

My remarks with regard to the allotments under the head "Miscellaneous" in connection with the Department of Agriculture apply to these allotments also. As it is, the department can hardly be credited with having usefully spent the money placed at their disposal and it is a bad policy to encourage them in their wasteful expenditure by placing large sums of money without specific limitations as to the manner in which the money is to be spent.

Raja Hrishikesh Laha.

My Lord, I am sorry I had to speak so disparagingly of two departments which have got the possibilities of being amongst the most beneficial of the departments of the administration ; but I have yielded to a sense of duty in making remarks which I should like to have been the very last to make. I can assure your Excellency that I have not given full vent to my feelings ; and it is obvious that the rules of debate to-day impose a serious restriction to a detailed examination of the questions from all points of view. I will, however, make certain suggestions to remedy what I consider to be the present defects in the working of these departments, and I hope your Excellency will take these remarks into consideration. In the first place, the fact must be recognized that without the fullest measure of non-official help and co-operation, all the activities of these departments are bound to end in failure. Non-officials are always ready to co-operate with officials, but in order that the right type of men may be got in adequate numbers, the officials must come forward to enlist non-official sympathy and co-operation in the right spirit. When this non-official help and co-operation is secured the work which is now being done by Government servants should be delegated more and more to non-official workers. It does not stand to the credit of the Department of Co-operative Societies that there are at the present moment only 50 honorary organizers in the field of actual work. It is a mistaken policy to officialize a department like this ; this kind of officialization has produced the most baneful results in other parts of the world, and there is no reason why different results from such a system will follow in India. If non-officials can be secured, a small remuneration by way of travelling allowance (and so forth) will suffice for their compensation and there will be an immense saving effected in the Budget allotments for the departments.

Secondly, till this non-official help is secured, the work that is being done by the present staff of Government servants in the Departments of Agriculture and Co-operative Societies may profitably be handed over to circle officers who will be appointed under the forthcoming Village Self-Government Act. These officers should be entrusted with the actual work of imparting all the knowledge about improved methods of agriculture to cultivators, looking after their agricultural needs and requirements, as also supervising the work of co-operative societies within the area placed in their charge. They ought to have a place of residence within this area of their charge, and they should be required to go out constantly on tour to form a real link between the Government and the people. Several lakhs might be cut down from the Budget allotments under the head of "Agriculture and Co-operative Credit" and might be better utilized in appointing a large number of circle officers for the purpose of supervising the working of the departments like that of Agriculture and the Co-operative Credit.

My Lord, I had a mind to say a few words about the expenditure on the Police Department, but I find the time at my disposal is limited and, moreover, experience teaches me that all remarks regarding the curtailment of expenditure regarding the Police Department always fall on deaf ears. I would only say that in my humble opinion Sir Henry Wheeler, the Finance Member, ought not to be entrusted with the portfolio of such a spending department as that of the Police.

[The Hon'ble Member having exceeded his time-limit had to resume his seat.]

The Hon'ble Raja Hrishikesh Laha said :—

Your Excellency, I must congratulate the Government on the very satisfactory Budget which has been presented to the Council and which affords little scope for criticism. I am glad to note that ample provision has been made for carrying out urgent and important schemes of sanitary

improvement. After the pointed attention which was recently drawn by your Excellency to the alarming prevalence of the hook-worm disease, I welcome the provision made in the Budget for an enquiry into this insidious disease which is sapping the energies and enfeebling the constitution of such a large proportion of the population. Your Excellency, shortly after the assumption of the charge of this Presidency, announced that the carrying out of anti-malarial measures would receive your special attention. I am glad to be able to bear my humble testimony to the methodical manner in which effect is being given in successive years to this most timely announcement.

Provision has been made for the establishment of two new District Agricultural Farms in continuance of the scheme for the distribution of improved paddy and jute seed and for the appointment of nine additional District Agricultural officers. In this connection may I be permitted to add that the agriculturists gratefully appreciate the fact that, in spite of the enhancements of the rates of interest charged by the Government of India to your Excellency's Government, no change has been made in the rate charged by your Excellency's Government for loans to agriculturists. I should like to suggest that portion of the sum of Rs. 1,80,000, which is available for the development of agricultural education, may be profitably utilized in carrying on propaganda work in the direction of popularizing improved methods and implements in carrying out agricultural operations, as is proposed to be done in regard to the education of the people concerning matters of sanitation.

My Lord, now that the Primary Education Bill has been passed, I consider it an auspicious augury that the Government has in hand a sum of Rs. 1,17,00,000, representing the unspent balance of Imperial grants for education, and I do hope that it may be found possible to utilize a portion of this money in assisting district boards and municipalities in disseminating primary education over and above the lump-grant of Rs. 5,50,000 provided in the Budget for the development of primary education.

The Munsiffs are among the most hard-worked public servants. I therefore welcome the provision of Rs. 1,25,000 for the increase of their pay and of Rs. 50,000 for providing residences for Additional Sessions Judges and eleven Munsifs.

My Lord, I am not in favour of starving the policemen, notwithstanding their various shortcomings. I, therefore, approve of the provision made in the Budget for raising the pay of head-constables. In this connection may I suggest that regard being had to the difficulty experienced in obtaining recruits from Upper India for the rank of the constable an experiment may be made in the direction of attracting Bengalee youths, possessing the requisite qualifications, to the Police Department to join as constables by offering them a slightly higher pay, especially for service in Calcutta. I venture to think that the Bengalee soldiers who have returned from the war would furnish excellent material for such recruitment.

I welcome the provision of Rs. 5,000 for a course of training to enable young medical men to take the Calcutta D. P. H. degree, so as to qualify for appointment as District Health Officers.

The demand for D. P. H. men to be employed as District Health Officers is already in excess of the supply, and it will increase year after year.

A salutary provision has been made in the Budget for the payment of half the salaries of Health Officers to be employed by the municipalities. I earnestly hope that the same liberal principle will be followed in regard to the salaries of the additional sanitary staff that may have to be employed by the more progressive municipalities in order to carry out sanitary reforms and improvements. As the District Boards will be required to appoint Health Officers in 1920-21, I hope Government will show equal generosity to the Boards and provide in the Budget for the year for half the salaries to be paid to them.

Rai Sri Nath Ray Bahadur.

The Hon'ble Rai Sri Nath Ray Bahadur said :—

My Lord, we are grateful to your Excellency's Government for the grant of fifteen lakhs of rupees for the Dacca University. The University Commission has now finished its labour and we hope that the Dacca University will soon be an accomplished fact. I may here mention that the Uviversity will be incomplete without a Medical College. Year before last I brought this matter to the notice of your Excellency's Government, and this year also a resolution to that effect was moved by the Hon'ble Mr. P. C. Mitter, and I am glad to say that on both these occasions Government had been sympathetic to the proposal and was only waiting for the Commission's report. It is a patent fact that the Calcutta Medical College has to refuse admission to a good number of boys every year, most of whom unhappily happen to be East Bengal students. A Medical College at Dacca will thus go to remove a long-felt grievance of the people of my part of the country.

My Lord, there is a feeling in the country, and a feeling justified by facts, that a large portion of money under Education is eaten up by excessive number of inspection staff and by erecting large magnificent hostels; that paraphernalia engages the attention of the Government more than the actual spread of education. My Lord, the people want education first and not palatial buildings fitted up in the most costly modern fashion. The country is poor and cannot afford to spend so big a sum on mere luxury. There is another aspect of it. It is not the rich alone that come in for education. Our schools and colleges are mostly fed by boys of poor parents. They live in their homes in humble huts and in a modest style. They come to the hostels from the log cabin to the White House. What is the effect of these palatial buildings on the young impressionable boys? They unconsciously adopt a style of living that they can vainly seek to find at home. A feeling of discontent is the result. There is another evil also. The hostel charges are gradually increasing, and is a serious strain on the purse of the poor parents and guardians. General education should not be made costly. It should be within the reach of the people of all classes. I must not be misunderstood to say that I am against hostels and boarding-houses. They are necessary. Our complaint is that hostels should not be fine specimens of Gothic or Saracenic structures embellished with electric lights, fans and other costly unnecessaries. The money saved thereby—and I am sure a good decent sum it will be—can best be utilized by educating a comparatively larger number of boys.

The question of waterways in East Bengal stands in need of immediate solution. We are grateful to your Excellency for allotting Rs. 50,000 this year for the improvement of khals at Dacca. The money is rather inadequate. In reply to my interpellation last year the Government was pleased to state that the project report was not completed yet. I believe it is still unfinished and hence this small sum. More than six months in the year the channels remain dry and the difficulty of conveyance is great. In order to meet the expenses for re-excavating and keeping in order the silted-up khals I suggested the levy of small tolls on every boat that passes through them. I am sure nobody will grudge it, as the people now pay a much heavier sum for other forms of conveyances and an incalculable benefit can thus be done both in improving the communication and rural sanitation. In East Bengal, specially in the Dacca district, channels are the principal if not the only means of communication, other means not being feasible. I urge upon the Government to see that the entire allotted sum be spent during the year and, if necessary, more money may be found for the improvement of khals. In this connection I may add that in reply to my interpellation to consider the desirability of either permanently retaining an officer at Dacca or until such time as all necessary projects for improving the waterways and channels are completed, the Government was pleased to state that the question of the desirability of extending the scope of the enquiries was under the consideration of the Government. I now urge upon the

Government that in order to effectively carry on the work of the improvement of rivers and khals in East Bengal an Irrigation Division be opened there. I understand that a new headquarters station is proposed to be located at Khulna. Khulna is not suitable to be the headquarters, as it is not the central place. Most of the affected rivers and channels are within the districts of Dacca, Faridpur and Mymensingh in East Bengal, and if the headquarters of the new proposed division be located either at Dacca or Faridpur, the work can most effectively be carried out. Besides, in Sundarbans, only waste-lands will be reclaimed, but here thickly-populated areas will be immensely benefited.

My Lord, we are glad that the Government has granted Rs. 25 lakhs for sewerage at Dacca and has allotted Rs. 3 lakhs for the year. I believe the attention of the Government has been drawn to the speech recently delivered at Dacca by Mr. Williams, where he told a most melancholy tale about the sanitary condition of the town of Dacca, justly described as the most filthy municipality in the world. Though the sum seems to be insufficient to meet the exigency of the situation I appeal to your Excellency's Government that the entire allotted sum for the year be spent during this year and, if possible, more money be found for it. This is a matter which cannot wait any longer. I urge upon the Government to allot a very big sum, if not the entire balance in the next year's Budget. It will not be out of place to mention here that your Excellency's Government has announced the intention to partition the Dacca district. Though I make bold to say that on the face of the very strong protest against the proposed measure, which in the opinion of the people concerned is not at all to their interest, Government will consider the advisibility of dropping the scheme altogether ; but in case the Government is bent upon doing so, a plea may not then be raised to stop or postpone the carrying out of the project of improving the municipality. So I urge that the sooner it is finished the better.

The attention of the Government must have been drawn to the prevalence of small-pox in Dacca. The people have suffered for want of immediate help. For some days there were no lymphs or only bad lymphs were available. Many people could not be vaccinated in time and, if vaccinated, most of the cases were unsuccessful. I ask the Government to open a lymph depôt at Dacca and direct immediate steps to be taken by the municipality to combat this fell disease.

The Hon'ble Mr. W. H. Phelps said :—

My Lord, I congratulate the Government on the very satisfactory Budget which has been presented to the Council.

I am convinced as a business-man, long resident in this great country, that the welfare of Europeans in India is so bound up with the best interests of the Indian people, that it behoves us to work hand-in-hand with the people, and it equally behoves the patriots of India to cherish our comradeship and our energies in the advancement materially and morally of the body politic.

There is, I regret to say, still lingering in the minds of a few of my countrymen a sort of indefinable dread of the loss of prestige lurking in political reform. There was the same honest dread lurking in the minds of English conservatives when compulsory education was advocated in England fifty years ago. The dread was, as I say, an honest one, but it was none the less a misplaced and unnecessary one as was proved before many years had elapsed. The conservatives of the present day are more liberal than the liberals of a former generation, and I have not the slightest doubt that the spirit called liberal will continue to assert itself in English minds as it is striving to do in the minds of the leaders of thought in this country.

Nothing can stop it ; I am convinced that it is the will of God. If it were not so, we should not have made the progress we have already made, we should not see the signs of progress we see to-day. We should not see the

strivings after education and sanitation, pure food and local self-helpful government in the cities and in the rural districts.

It sometimes raises a feeling of distrust in the minds of the rich and the educated when they see leaders from among the people come forward as champions of the poor, but is not history in this respect repeating its better self? Let us have, therefore, less suspicion of others who have a mind to co-operate for the general good, even if their position in life is lowly and their education in book-learning is defective.

Touching the education of the masses I often think that much more might be done in the matter of hygiene and sanitation, in farming and in the industrial world, if the Government could be induced to set apart a modest sum for a touring department of educational cinematography. Just think how quickly and forcefully conviction could be brought to the minds of the most ignorant and illiterate by a series of living pictures illustrating the advantages of public hygiene! Why, a person might learn in a single hour as much as a reader might learn in a month. And this might be learnt by those who were utterly unable to read.

And look what millions of drab lives might be gladdened for a brief spell and given an impetus to think, by the expenditure of a comparatively small sum. There would be no necessity to build halls and theatres; the entertainments could be given free in the open under the healthiest conditions.

Your Excellency's Government must have noticed that even in such simple matters of the need for elementary education and village sanitation the general education of the masses lags behind legislation; the people are legislated for in advance of demand of any but the more public-spirited few, and even after all your legislation there is a dead mass of inertia to contend with before the benefits of the legislation can be appreciated. How much better it would be if enlightenment could receive first attention so that the people could *ask* for legislation instead of having it thrown to them or thrust upon them.

It has been observed by the best educationalists that the best form of education is that which equips a young person with a desire to learn and a capacity to think.

Whilst I am on this subject I should like to observe that as a film censor I have constantly regretted that so little provision has been made to suit the requirements and attainments of the Indian youths who flock by their hundreds to cinemas where they are often entertained with English social problem plays and the adventures of very undesirable persons including dacoits and sharpers and even murderers. Many of these poor people will spend a day's pay on an entertainment which is of less than doubtful good to them, although quite harmless and even of positive benefit to others of European tastes and education.

It is notorious that stripped of all the accessories of gorgeously-decorated theatres and other luxuries the cinema in itself is about the cheapest form of entertainment and most instructive and might easily be provided in the open, immediately after sunset, free of all charge in rural districts, and would not only entertain the populace, but afford them something to think about, and develop a desire to improve their condition.

It is quite possible to attach too much importance to cheap labour. Conservative minds are apt to make this mistake, but English employers are becoming convinced that what we want most urgently is efficiency even at the price of better wages.

There has been too much restfulness and contentment in India with the one-man-one-job kind of contentment which prohibits a man or woman from extending their usefulness to their employers. So long as this remains a special feature of the average Indian, so long as he refuses to become more versatile and accept new ideas, so long will he relegate himself to the restrictions of grinding poverty.

Rai M. C. Mitra Bahadur.

My Lord, in making these remarks of a general nature I do not claim a mandate from any one but my own experience, but I have lived long enough in India to love it and I am prepared to devote the rest of my days to the service of this great country.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

My Lord, I beg to congratulate your Excellency's Government for a larger grant made this year under the head of Sanitation for the lasting benefit to the people. I invited the attention of your Excellency's Council by moving several resolutions and also asking many questions in connection with the pollution of the water of the Bhagirathi, the Amta Drainage Scheme in the district of Howrah, the improvement of the Berhampore Sluice in the district of Murshidabad, famine relief for Bankura, prevention of floods in the districts of Howrah, Hooghly, Burdwan and Midnapore, the appointment of some additional district judges, subordinate judges and munsiffs to relieve the congestion of judicial work which is steadily increasing in several districts, the improvement of the pay of the officers of the provincial judicial service, the establishment of the hygiene institute, and a new medical school to afford increased facilities for medical education, the new eye hospital at the medical college, Calcutta, the increase in the number of district agricultural farms as well as district agricultural officers and seed stores and the establishment of agricultural middle schools at Chinsurah and Dacca. On behalf of the public, I thank your Excellency's Government for providing funds for all these items in the Budget for 1919-20.

My Lord, the Hon'ble Finance Member should be congratulated on the aggregate increase of revenue, but I feel disappointed to point out to your Excellency's Council that a portion of it has not been applied to minimise the suffering of the loyal band of hard-working clerks drawing a salary of Rs. 100 or less per month who are ungrudgingly offering their best services in the various departments of your Excellency's Government within the presidency of Bengal.

I deeply deplore the fact that nothing has been done as yet for improving the prospects of the teachers in the subordinate educational service, specially those in the lower subordinate grade. Owing to high price of food-stuffs and other necessaries of life, the sufferings of these under-paid teachers employed in Government Schools are evidently on the increase, and it is certainly a disgrace to the Department of Public Instruction which has so long overlooked the just claims of these loyal servants who are devotedly rendering most valuable services to our country by training children, the future citizens of the Empire. It is a pity that persons responsible for the efficient administration of this department have hitherto failed to cure the gravest evils of the existing system. I was surprised to go through the revelations made at Dacca in connection with the social service exhibition which was opened by your Excellency the other day and proceedings of which appeared in the columns of the *Englishman* of 8th March last that "Indian school-masters are worse paid than coolies." Something substantial ought to be done to improve the material prospects of these teachers in villages.

In the current year's Budget, I hope and trust that the Hon'ble the Director of Public Instruction will fully utilise the amount of money sanctioned by Government for expenditure during the present financial year and under his administration the expenditure during this year will not again fall short of the sanctioned estimate as in the year just past.

From the reply given to me by your Excellency's Government at a meeting of the Council held on the 26th November last, I understand that the amount of surplus or rather profit to Government from the Hindu and Hare Schools, Calcutta, during the last six years from 1912-13 to 1917-18 amounted to more than Rs. 24,000 and Rs. 36,000, respectively. Referring to

pages 16 to 24 under the head of Hindu and Hare Schools, in the printed list of staff of the Government Educational Institutions in the Presidency of Bengal, corrected up to 1st April 1918, and published by Government, I am really sorry to bring to the notice of your Excellency's Council that in spite of a very large surplus of money being available annually from these premier schools of Bengal, salary of most of the teachers employed in these institutions offers little or no inducement to competent men to work with full energy. The teachers find it very difficult to make both ends meet and maintain the members of their family and dependants in these hard times. The initial pay should be raised at once according to rank held by each of the teachers, and provisional arrangements should be made at once for the payment of bonus and house allowances to these deserving men out of the large surplus derived from these schools. The higher rate of fees are levied from among the students of these schools ; many of the private schools in Calcutta, including some recently-established ones, which charge lesser fees from students, are already fitted with electric fans ; but unfortunately the Hindu and Hare Schools are still without electric connections. The provision for electric fans for nearly 600 boys of well-to-do classes in each of these schools is not a matter of luxury, but it is a matter of urgent necessity owing to the unprecedented heat of the summer. I hope and trust that your Excellency's Government will take immediate steps to remedy these gravest defects in the premier schools of Bengal which are under the direct supervision of the Principal of the Presidency College, Calcutta, and the Hon'ble the Director of Public Instruction.

The allotment for industrial and technical education is not adequate. Materials for the manufacture of pulp for papers abound in Bengal. These should be fully utilised. Definite steps should be taken by your Excellency's Government for the revival of the sugar industry in the different districts of Bengal. I hope that with the introduction of responsible Government in the near future and in connection with the scheme of constitutional reforms in the direction of separating Imperial and Provincial finance, impetus should be given by your Excellency's Government to the earnest desire on the part of the people to take to industrial pursuits. More money should be spent and the amount as provided in the Budget should be fully utilised in connection with irrigation works in Bengal for the development of the insecure industry of agriculture and minimise the sufferings of the raiyats. Immediate effect should be given by your Excellency's Government to the recommendations of the Industrial Commission so as to improve the economic condition of the people and relieve their acute distress caused by the war.

The Hon'ble Maulvi Abul Kasem said :—

My Lord, my Hon'ble friend Kumar Shib Shekhareswar Ray began his speech by saying that this year's Budget was of great interest to the land-holding classes whom he represents in this Council. I think, my Lord, that this year's Budget has got a peculiar interest to the locality from which I come. In the first place as an inhabitant of the Burdwan district and representing a constituency in that division, I would be failing in my duty if I did not express my gratitude to your Excellency's Government not only for the provision made in the budget for mitigating the effects of the floods of the Damodar and the Ajoy, but also for the steps and measures adopted for giving effect to it. My Lord, it is more than half-a-century that the people of a large tract of land in the Burdwan Division suffered from damages on account of the innundations from the rivers Damodar and Ajoy. The question no doubt engaged the attention of the Government of Bengal but nothing substantial was done to relieve the distress. It was reserved for your Excellency's Government to take effective measures to mitigate the effects of the damages, and I am glad to acknowledge and I do it with gratitude, that in this matter at least your Excellency's Government have not followed the usual habit of dilatoriness in all Government proposals and measures, and that the matter of this flood has been taken up by Government in right earnest

and I believe and trust that the battle of these two rivers has been fought and I hope will be won in the very near future.

I have also to thank your Excellency's Government for the provision made for starting a zilla school in the town of Burdwan. Burdwan happened to be one of the two districts in Bengal without a Government High School, and we are thankful to your Excellency's Government for supplying us with this High School which was a great necessity in the town of Burdwan. I am personally interested in it as I happened to place a proposal like this before your Excellency's Government about a couple of years back. I have further to thank your Excellency's Government for selecting Burdwan as one of the first places where to start a medical school. The need of medical schools is no doubt keenly felt all over Bengal and I hope and trust that more medical schools will be started very soon and provision made for them; but as a Burdwan man I must express my gratitude for the one which is about to be established in my native town.

My Lord, the people of this province fully appreciate, and gratefully appreciate, the endeavours made by your Excellency personally and by Government to fight the battle of malaria, and we at the same time appreciate the services rendered by Dr. Bentley in the matter of minimising the effects of malaria and preventing it. I think, my Lord, that in spite of all that has been said in this Council by my friend Hon'ble Maulvi Fazl-ul-Haq a little more money is needed by Dr. Bentley to carry on the programme which he has in view. I think that he not only wants a larger sum for the experiments he wants to carry on but also to give actual relief to the people.

It is an old tale, my Lord, to talk of police expenditure and if I refer to it it is not again to raise up the old cry; but I say that although police expenditure has gone up by leaps and bounds in these few years, I am afraid there has been no material improvement in the pay and prospects of Police Inspectors or Sub-Inspectors or even constables on whom, your Excellency's Government will admit, the brunt of the work falls. At this time when our resources are limited and we want more money in various other departments, I venture to submit that the raising of the salary of the members of the Indian police is rather extravagant.

My Lord, I think we have in this Council more than often brought to the notice of your Excellency's Government the need for a larger number of Muhammadan hostels, both in and outside Calcutta and Dacca, and to-day I want again to press that Government should take steps to establish hostels for Muhammadan boys at all important centres of education. The question of Muhammadan education is a serious matter, not only in the interests of Muhammadans themselves, but in the interests of the whole province, because as long as the Muhammadans are not properly and as well educated in such proportions as their Hindu fellow-countrymen they are bound to be a dead-weight on the other communities in their march for progress and advancement as well as for a responsible Government.

We are grateful to your Excellency's Government for the promise made by the Director of Public Instruction that they are thinking of providing for a larger number of Muhammadan scholarships in primary and secondary schools, and I trust that effect will be given to the promise at an early date.

My Lord, during the official year that has just closed we had in this province an epidemic of influenza which at least in my part of the province has been followed by an epidemic of cholera and small-pox, and a large percentage or rather an appreciable percentage of my countrymen has fallen victims to these diseases, and in my humble way I beg to suggest to Your Excellency's Government that in these days when medical aid is not available in the rural areas a system of travelling dispensaries should be started and Government should take the management of these dispensaries in its own hands. No doubt attempts have been made by District Boards to relieve the people, but the resources of the District Board being limited and their arrangements defective, by the time they could arrange for it, great loss had already been sustained.

Rai R. C. Pal Bahadur.

My Lord, a few years back, when discussing the Financial Statement, I made a proposal that to further Muhammadan education some aid should be given to the private institutions, aided or unaided, on the condition that they provided facilities for the teaching of Arabic and Persian in their schools and colleges, and I again repeat that request because it has been times without number mentioned in this Council that Muhammadan boys find difficulties in getting education in colleges and a prayer for a Muhammadan college has also been made, but the difficulty to some extent would be solved if we find that in colleges and high schools provision is made for the teaching of Arabic and Persian because Muhammadan parents hesitate, and rightly hesitate, to send their boys to schools where they cannot receive an education suitable to Muhammadan boys.

My Lord, my hon'ble friend Maulvi Fazl-ul-Haq has said that the expenditure on the Department of Agriculture has been very high. I am sorry I cannot and do not agree with him in that; the expenses have been not very high. I agree with him up to this, that the department has not been as well managed as he or others of our countrymen could wish, but I think I shall not be far wrong if I say that of late the department is making a steady progress and the experiments made by the department are now proving very useful, but I am sorry that I cannot say the same thing about the Department of Co-operative Credit Societies.

My Lord, by a resolution of which notice was given in this Council by one of the Hon'ble Members, attention was drawn to the fact that there was great distress among the cultivating classes on account of the high prices of commodities, and I think Government should take some steps to relieve the distress, and I humbly suggest that one of the measures which would be adopted, if it is practicable to adopt it, would be to prevent the export of food-grains and cotton goods from this country because we are absolutely in need of them and cannot supply our own needs and demands.

Lastly, before I conclude, my Lord, I would venture to say that even though I am afraid my proposals will be characterised as preposterous, and with due deference to the opinion of Sir R. N. Mookerjee, I beg to submit that we—at least a large section of the people—have not been convinced that the Department of Fishery has been doing any good in this province. We have had an experienced and able member of the Indian Civil Service and an experienced member of the statutory service at the head, helped by experts brought from Europe, but all the same, up till now there has neither been an improvement in the supply of fish or fish cultivation, nor has there been any increase in the revenue of Government; at any rate the industry may be very useful but the working of the department has proved absolutely a failure, and I think it is extravagance to spend any more money on that department.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

I thank the Government for furnishing us with more detailed information in connection with the Financial Statement of this year than had been the practice hitherto. The Civil Budget Estimate for the year 1919-20 enables us to understand the figures in the Financial Statement much better than the lump sum figures in the Budget. But our main complaint has not yet been remedied. The Finance Committee comes into existence late in the year and cut-and-dried statements of new works are placed before them. A bare statement of probable receipts and expenditure under main heads is furnished, and the whole business is finished in two or three sittings. The detailed Budget is placed before the Council and, except a general discussion, no practical results ensue. Transfers and reappropriations in the Budget are freely and extensively made during the year, and the Finance Committee which ceases to exist during the rest of the year have nothing to do with them. The Council is in blissful ignorance of the changes made in the Budget during the course of the

year of the progress of sanctioned works, of any new projects undertaken, or of projects abandoned. A thorough change in the method and procedure of dealing with the Budget in the Council is required. I venture to reiterate my suggestion that the Finance Committee should be made a Standing Committee and should be authorised to examine and deal with all proposals which tend to vary the Budget as finally passed in the Council and to keep watch over expenditure. Otherwise the control exercised by the Council is illusory. The progress and development of the country whether sanitary, educational, industrial or in any useful direction depends upon finance and its proper utilisation. The people want to be associated with the Government in this matter. With this intimate knowledge of the finance of the country the non-official members may be in a better position in submitting their proposals and to see that the schemes are executed in time and that the allotments may not lapse. The Reform Scheme contemplates that Standing Committees of non-official members are to be attached to all provincial departments. I believe that the Reform Scheme will not come into operation before another 12 months or more, and is it too much to hope that Your Excellency's Government will be pleased to anticipate the coming change and allow this Council to appoint a standing Finance Committee at the beginning of the financial year?

Forests.—One source of revenue which augments the resources of the country without inflicting any hardship on anybody is the yield of the forests. The estimated receipt is less by 2 lakhs than the revised estimate of last year for which an explanation has been given. But I believe this revenue is capable of improvement. The development of forest produce will also help in the industrial advancement of the country. May I have some information as to what steps are being taken to increase the forest products and how they are being utilised?

Excise.—The excise revenue is going up by leaps and bounds. The actuals in 1917-18 amounted to Rs. 156¼ lakhs. The revised estimate for 1918-19 amounts to Rs. 178 lakhs and the Budget estimate for 1919-20 Rs. 187 lakhs. The total revenue in Calcutta alone in the year 1917-18 was 57½ lakhs out of a net revenue of 146 lakhs for the whole province, *i.e.*, nearly 40 per cent. of the total revenue. It is therefore desirable that Government should devote a portion of this revenue in improving the condition of primary education in Calcutta and thereby help to spread literacy. The Corporation of Calcutta is also willing to help the Government in this matter.

In Bombay the Corporation gets a revenue of nearly 12 lakhs from excise and tobacco licenses, not to speak of 16 lakhs from octroi. This enables the Bombay Corporation to make liberal provision for primary education in the city. Calcutta, if I am right, contributes the bulk of the provincial revenue. The enormous revenue realised from income-tax, law and justice and stamps from this city in addition to excise forms the main financial strength of Government. Cannot the city, therefore, expect a fair and reasonable contribution for the primary education of its children who, properly trained and educated, constitute an asset to the country?

Education.—For years past I have been crying hoarse over the neglected condition of female education. My chief concern is the orthodox Hindu girls' education. While a capital grant of one lakh is budgetted for the Calcutta Girls' School which is evidently intended for European and Anglo-Indian communities, I regret the Government seems to be apathetic in the matter of the education of Hindu and Muhammadan girls. There is only a trifling provision of Rs. 22,000 for zenana teaching in East Bengal and Rs. 42,000 for the training of mistresses and Moslem women teachers which no doubt include lady teachers of all classes. Is this quite adequate for the promotion of education of Hindu and Muhammadan girls of the orthodox class? The present system of female education is unsuitable for orthodox Hindus, and I believe also for Muhammadan girls. The courses of study, lessons, etc., should be made to conform to orthodox rules if we are not to be denationalised.

Rai R. C. Pal Bahadur.

Special schools should be started on new lines approved by the community at large in which western ideas should not prevail. A Committee, if I remember aright, was appointed a few years back with Sir Asutosh Mookerjee as President, to devise a scheme for the education of Hindu girls, but nothing has been heard of it. It is high time that a comprehensive scheme should be framed and the public given an opportunity to express their opinion on it. Such popular schools for girls as the Mahakali Patshala and others should be given all aids, and additional schools should be established in different parts of the country.

Commercial and Technical Education.—It is high time also for larger allotments to be made for the improvement of commercial, technical and industrial education. The commercial school in Calcutta should be improved and enlarged and commercial education should be encouraged by providing outlets for the employment of successful students. The mining schools in the colliery districts should be placed on a firm footing and greater facilities should be given for the admission of boys into the mining class of the Sibpur Engineering College by removing age and other restrictions. The rules for the admission to the Sibpur Engineering College generally should be revised so as to enable those who have not got university education but are otherwise fitted by general education, training, intelligence and inclination to pursue engineering education to enter its portals. I am grateful to Government for the assurance lately given that a Technological Institute is to be established in Calcutta. This has been deferred too long. May I ask whether it is likely to be an accomplished fact during the next year? In this connection I would like to be informed what steps are proposed to be taken to give effect to the recommendations of the Indian Industrial Commission. Provision of Rs. 2½ lakhs has been made for the development of industry. May I enquire how it is proposed to utilise this sum?

Medical.—I am glad that Government is taking steps to spread Medical education.

A provision of Rs. 1½ lakh has been made for the improvement of the pay of I. M. S. officers.

Assistant Surgeons.—The Assistant Surgeons are an efficient and hard-worked body, and their number is inadequate. Wherever they may be, in the remote mufassal stations or in rural villages, they work unremittingly to save the lives of the people, and yet their minimum pay is Rs. 100. Will not the Government kindly consider the grievances of the Assistant Surgeons and increase their emoluments?

Sanitation.—It is gratifying to find that the lump grant for Sanitation has been raised from Rs. 8,50,000 to Rs. 13,70,000, but neither in the sanitation Budget nor in Budget Item 43 (Minor works—Navigation) provision has been made for the improvement of the Bhagirathi river.

Improvement of the Bhagirathi river.—The safety of the port of Calcutta is connected with this river. I understand the Bhagirathi was recently surveyed, but with what result it is not yet known. If the upper reaches are well maintained, then there will be no want of good drinking water on both sides and consequently malaria and cholera will not be able to play havoc.

New Bridge across the Hooghly.—In connection with Bhagirathi river I would like to know how the question of building a new bridge across the Hooghly stands at present, when we may hope that this scheme will materialise, whether the floating bridge will be shifted higher up for direct communication between Northern Howrah and the city. The river system of the Presidency should be improved by the removal of silt and other obstruction, and good and wholesome water provided throughout the year in several parts of Bengal. I do not presume to offer any advice or suggestion to Government on this matter, but as the Government coach moves slowly, it would be interesting to know what is the Government scheme on the subject and what progress has been made in this connection.

Reserved tanks.—The cry for pure drinking water in rural areas is unabated. It is not possible to introduce filtered water-supply system everywhere, but much may be done to mitigate the distress by the provision of reserved tanks.

Not only the number of reserved tanks should steadily be increased every year but there should be constant inspection of these tanks to prevent their deterioration or pollution. From my personal knowledge I have found that some of the reserved tanks are not properly looked after and are consequently deteriorating. They are gradually converted into cesspools and become a menace to the health of the public.

Enquiry into question of river pollution.—May I enquire in this connection when the scheme for supplying filtered water to the riparian municipalities in the neighbourhood of Calcutta is likely to mature? While on this subject, I desire to express the gratitude of my countrymen for the provision of Rs. 25,000 for enquiry into the question of river pollution. The septic tank is the chief source of pollution, and not only the river water is polluted but also the religious feelings of the Hindus are hurt. Your Excellency will earn the gratitude of the people by adopting a measure to prevent this pollution.

Influenza.—Influenza played dreadful havoc during the last year desolating many a smiling home in the fairest village of the Presidency. For want of proper medical men and medicines, thousands and hundreds of thousands who could have otherwise been saved fell victims to this dreadful disease. The need of more dispensaries and medical men and above all the provision of travelling dispensaries with travelling doctors has been forcibly brought home by the appalling death-rate. I hope that the investigation which I understand is being made by the Government of India will result in the adoption of timely preventive and precautionary measures and that we will be spared another devastation from a recrudescence of this disease.

Floods in Burdwan District.—I thank the Government for the provision of funds for mitigating the effects of flood in the Burdwan Division and for the provision of Rs. 2,50,000 for rebuilding the Kidderpore Bridge.

Re-construction of the Kidderpore Bridge.—In connection with the re-construction of the Kidderpore Bridge, I would like to be informed about the width of the proposed bridge compared with its existing width, and whether the Tramway Company are paying a portion of the cost of the re-constructed bridge as their line will pass over it.

Canalisation of Tolly's Nallah.—For the partial canalisation of the Tolly's Nallah, I note that a sum of Rs. 75,000 has been provided in the budget. May I enquire for some particulars about the scheme and how far it will restore the former navigation of the channel and also render the water pure for religious purposes?

Bankura famine.—The recurrence of famine in Bankura has, I hope, attracted the attention of Government. Why should this district or other districts in this Presidency fall an easy prey to famine? No doubt the people are extremely poor. What are the economic causes that have brought about this poverty? It is said that the cultivator is not advanced. The proportion of non-cultivated area to the total cultivable area is, I believe, 37 per cent. against 79 per cent. in Birbhum and 80 per cent. in Faridpur. Irrigation is necessary in the greater portion of the district. Excavation and re-excavation of irrigation tanks seem to be necessary if any permanent improvement is to be effected. Besides, local handicrafts should be encouraged. Temporary relief is no doubt necessary, and I am sure the Government is doing its best. But as no one is in a better position than the Government to consider what permanent and preventive measures should be taken against the recurrence of famine in this district, the people would be thankful to know what the Government is contemplating to do in this connection.

Rai R. C. Pal Bahadur.

Before I conclude this subject, I would draw the attention of Your Excellency's Government to the intense economic distress prevailing throughout the country and in every home by reason of the extraordinary high prices of all the necessaries of life. Poor and half-starved as the bulk of the people are in normal times, they have now been reduced to a desperate condition. It behoves the Government to take up the question in right earnest, and adopt measures to mitigate the present distress.

Provincial Executive Service.—The Government deserves the thanks of the public for the provision made in the Budget for the improvement in the salary of the Provincial Judicial Service. The grievances of the Provincial Executive Service deserve no less consideration. The total number of appointments in either of the two Services is about the same, *i.e*, about 300, and the number of grades inclusive of probationary Deputy Collectors is also the same. But, whereas, officers in the Judicial Branch who entered the service in 1893-94 are drawing Rs. 1,000, their contemporaries in the Executive Branch are drawing Rs. 500, *i.e.*, only one-half of what the former are getting. No wonder the Service is discontented and many are anxious to seek fresh fields and pastures new in foreign service as in the case of the appointment to the post of the Secretary to the Corporation. The Provincial Civil Service forms the backbone of the general administration of the country. The pay and grading of the Service were fixed more than fifty years ago. The Public Services Commission made certain recommendations which are certainly inadequate, but nothing however has been done in revising the cadre of the Service. The Provincial Executive Service, like the Judicial Service, has deservedly won a high reputation for ability and integrity. Sir Valentine Chirol who cannot be accused of undue partiality towards Indians said : "The Provincial Civil Service constitutes the backbone of the civil administration. It is drawn for the most part from the same class of Indian society from which the bulk of the Indian members of the Indian Civil Service are themselves drawn. In proportion, as the work of administration increases, and it is found to go on increasing steadily, an increasingly large proportion of the more responsible duties hitherto discharged by the Indian Civil Service must necessarily devolve upon the Provincial Civil Service. The importance of raising the general standard of efficiency in the Provincial Civil Service and of bringing it nearer the level of the Indian Civil Service is, therefore, beyond dispute." The Public Services Commission was appointed so far back as 1912 and the Commissioners published their Report in 1915, but nothing has been done as yet to improve the pay and prospects of the Service. It may be said that the Report is under the consideration of the Government of India. It is the clear duty of the Local Government in the interest of efficient administration to ask them to come to an early decision on this highly important question.

Ministerial Service.—I may now be permitted to refer to the grievances of the ministerial service in the Province. The members of this service have been very hard hit by the extraordinary rise in the prices in consequence of the war. They have been literally driven deeper and deeper down the abyss, and until something is immediately done to improve their pay and prospects, they will cease to exist before long. They belong to the poor *bhadralog* class and their abject poverty and their wants and their sufferings have evoked universal sympathy. It is stated by the Hon'ble Sir Henry Wheeler that Government is contemplating to grant grain allowance to ministerial officers drawing Rs. 30 and under. I do not know what that miserable pittance would amount to. The sufferings of others drawing salaries above Rs. 30 are not less acute and an enquiry would reveal the fact that many of them are seriously in debt, and it would perhaps be hopeless to extricate them from the hands of their creditors until timely action is taken by Government.

My Lord, we are entering into what, we hope, will be the last year of our existence under the present constitution. We are looking forward to the fulfilment of the promise of the 20th August, 1917, both in letter and spirit.

A new era of progress—political, industrial, educational and sanitary—is dawning, and happily the distractions and financial embarrassments consequent upon the war are passing away, and the reconstituted Government will, we hope, be in a position to embark on the comprehensive task of improving the material condition of the people.

[At this stage the Hon'ble Member had to conclude his remarks, having reached the time-limit.]

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

My Lord, before saying anything on the Budget I think I ought to congratulate the Hon'ble Sir Henry Wheeler on the improved method in which the Financial Statement has been prepared this year. Last year I complained of the indistinctness of the Statement, pointing out my difficulties in following the Budget figures, and I am glad to notice that this year I had no serious difficulty in grasping the salient features of the account.

Last year, my Lord, there was some talk about the waste of time in moving Budget resolutions—some of us resented it. This year also a pretty large number of resolutions were moved. We are constrained to admit that very little useful purpose is served both by such resolutions and by the Budget discussion. The members may with advantage be asked to submit their recommendations and suggestions before the Financial Statement is presented to the Council. The financial situation may be intimated to the members in a rough outline to enable them to make useful suggestions. It seems to me it is quite unnecessary for the members to suggest as to how the proposed expenditure should be met. If the importance of the thing can be established it is for the Finance Department to find out ways and means. I hope and trust some such procedure should be adopted in order to give a real character to these rather useless and showy Budget resolutions and discussions and the rules regulating the Budget consideration may be amended accordingly.

I am sorry, my Lord, I am to complain again as regards the administration of the Education Department. Out of a provision of Rs. 1,03,00,000 for Education there is a saving of Rs. 18,00,000 in the year just closed. It is said that there was some transfer of money to the Public Works Department for educational works, but the actual amount utilised has not been shown, though the actual transfer to the Public Works Department could be shown under head Police. This large saving under Education has not been re-allotted in the current year's educational Budget. On the other hand in the current year's estimate there is a decrease of about Rs. 5,00,000 as compared with the last year's sanctioned estimate. The curious explanation is that this decrease is mainly due to larger probable savings in the light of the expenditure incurred by the department in recent years. Are we to understand, then, that the department is inefficient and is unable to carry out the wishes of Government for some excuse or other? If the provision for capital expenditure of Rs. 3,00,000 reserved for the Dacca University is taken out of consideration, the real decrease in educational expenses comes to nearly Rs. 8,00,000. Surely the Education Budget cannot be accepted under the circumstances as really a progressive one, though in the case of the Budget as a whole it is surely progressive both in receipts and in expenditure. Decrease is explicable if there is no necessity for further expenses, but nobody would say that there is no necessity for larger educational expenditure in Bengal. If the department is really inefficient—and under the circumstances of this we cannot but come to the conclusion that it is really so—a thorough investigation and laying down a definite educational policy for the guidance of the department and adequate supervision for carrying out the provisions conducive to healthy development

have become a necessity. When money is available the best interest of Government and the country demand a fair and judicious distribution in the several departmental expenditures.

On several occasions I pleaded for the cause of the Rajshahi College as I have some personal experience in the matter. It would not be out of place to say that at present there is no principle according to which the staff of a Government college is determined. It seems to be done in a haphazard way, the necessity of the moment being met in the way which the Director, on the representation of the Principal or the Governing Body concerned, thinks best. I may be permitted to cite a concrete case for example. I understand that the Chittagong and the Hooghly Colleges are going to be affiliated in B. A. Economics (Pass) and two Professors in the Provincial Educational Service are going to be appointed for the same. In the Krishnagar College Economics is taught by the Principal who is an Indian Educational Service man. But the Rajshahi College, though affiliated since about 5 or 6 years in B.A. Economics (Pass), and several students are coming out successful in that subject each year, has been compelled to rest satisfied with a Lecturer in the Subordinate Educational Service. May I ask on what principle the teacher of Economics in the Rajshahi College should be in the Subordinate Educational Service? Even the demand for the affiliation of the institution in Economics (Honours) with an appointment of an additional Professor in the Provincial Educational Service to be at the head of that branch of study has not met with the approval of Government, though such a development could be naturally expected in due course of progress. The University, on the recommendation of the College Inspectors, has been insisting for some time upon the appointment of additional Professors of English. I understand a rather curious instruction was issued some time ago for reducing the number of students by 100 or so, so that for the sake of avoiding a monthly expenditure of Rs. 200, a loss of Rs. 600 a month was suggested as a remedial measure. The Rajshahi College is bigger than the Hooghly, Chittagong and the Krishnagar Colleges taken together as regards the number of students. In fact up to the B.A. and B.Sc. standard the Rajshahi College is not inferior to the Presidency and the Dacca Colleges as regards the number of students and the result of University examinations. A library and reading-rooms are necessary adjuncts of a college. Would the hon'ble members believe there are no buildings for these purposes in the Rajshahi College? The books are huddled together in the small rooms of the common room building, constructed out of private contribution for a different purpose, and for this, the sanction of the donor had to be obtained. What is most surprising is that there is a librarian in charge of the college library on a petty salary of Rs. 20 a month, and this librarian is expected to guide the studies of the B.A. and the B. Sc. students. In all colleges there are gymnastic teachers for college boys but in Rajshahi there are none. As regards the teaching staff again there is a large number of Indian Educational Service men in the Presidency and the Dacca Colleges and at least one Indian Educational Service man in each of the Chittagong, Hooghly, and Krishnagar Colleges. But the Rajshahi College is the unfortunate exception in this respect. Although by a Government order the men in Indian Educational Service and the Provincial Educational Service are, in the superior service, theoretically at par as regards rank, but there is a special arrangement of an allowance of Rs. 100 a month when a Provincial Educational Service man acts in place of an Indian Educational Service officer.

For short vacancies local arrangements are desirable no doubt, but in long vacancies of which there have been too many the men in the favoured institutions have been enjoying that allowance and the unfortunate officers of the Rajshahi College have been practically deprived of it. Babu Raj Mohan Sen, Senior Professor of Mathematics, is now retiring after about 30 years of meritorious service in the Rajshahi College. He is an exceedingly capable man and is an ideal teacher, but he had never had any opportunity

of acting in the Indian Educational Service although men much junior and, I think, also inferior to him enjoyed such acting allowance for years together in other favoured institutions, and this for doing no higher additional work.

Rai K. K. Banarji Bahadur has been serving as Principal of the Rajshahi College since over 20 years. The college was in a moribund condition, although there was an Indian Educational Service man as Principal before him. The Rajshahi Association was offered to take up the college with a fixed Government grant and Government were contemplating the abolition of the B. A. classes. At this critical moment he became the Principal of the college and, thanks to his admirable efforts, untiring zeal and tact, he saved the tottering institution. It has been growing steadily under his management and Rajshahi College now is one of the best colleges in the province. This gentleman, however, has got no allowance as Principal during this long period, excepting a small house allowance of Rs. 60 a month for the last 6 or 7 years. Because he has been tied down to the Rajshahi College he had no opportunity of ever acting in the Indian Educaticnal Service and getting the allowance which was obtained by men considerably junior and inferior to him in other institutions. Recently a few Provincial Educational Service men have been promoted to the Indian Educational Service, but Rai Kumudrai Kanta has been superseded by one who was appointed long after he had been confirmed as Principal of a first grade college. Is this, my Lord, at all fair? The Government decision is, I understand, that all administrative posts such as Principalships or Chief Inspectorships should be officered by Indian Educational Service men. The result of the Rajshahi College unmistakably shows that the Principal is a deserving and well-qualified officer. Is it not reasonable, then, that he should be at once promoted to the Indian Educational Service or a suitable special allowance should be granted to him? Recently the fee rate in the Rajshahi College has been raised from Rs. 4 to Rs. 6 per month and the Government plea is that this has been done for the sake of uniformity. If uniformity is to be observed it should be done in all other respects—I mean uniformity in the advantages which the students in other colleges receive in return. Over 300 students in the Rajshahi College live in hired houses with many disadvantages in the absence of hostel accommodation. There are large endowments for the Rajshahi colleges for the spread of education in North Bengal which is admittedly very backward in education and inhabited mostly by Muhammadans of very limited means. Affiliation of this college in I. A. and B. A. Botany and the re-affiliation in B. L. and some of the M. A. courses are to my mind urgently necessary. There is a provision of Rs. 50,000 this year for hostel accommodation at Rajshahi, but it is very inadequate as the sum cannot provide for more than 50 students at the most.

As the time-limit will not allow me to treat the Subordinate Educational Service and the Lower Subordinate Educational Service at length, I may be permitted to draw the attention of Your Excellency's Government for taking proper steps for their much-needed reforms. The initial pay of Rs. 15 a month for any one in the Educational Department is a mockery, if I may be permitted to say so: I believe it is an exceptional case in the Educational Department only. The case of the Lecturer entrusted with the duties of teaching in the B. A. classes requires no repetition. A complete reorganization of the whole service is a necessity, and I refer to the case of the most pitiable for special reference only.

We are thankful to Government for the special consideration shown for the spread of agricultural education in Bengal. It is an agricultural province and nearly 78 per cent. of the population live by agriculture. In this respect the Punjab Government, I believe, have taken practical steps for giving sufficient impetus to the spread of agricultural knowledge. It is time that Bengal should have an agricultural college of its own and every district if not each sub-division should have an agricultural demonstration farm with attached cattle-farms for practical instruction in the improved method of scientific

agriculture and for the improvement of cattle. The educational curriculum should include if possible a compulsory course on Agriculture in Primary Education and an optional course in the secondary stage. The experimental farms, as experience has shown, are no safe guide for the spread of agricultural education. I may be permitted in this connection to urge for special arrangement for seed distribution in special cases.—I mean where economic pressure due to failure of crops or flood or overindebtedness cause distress and the cultivators are not in a position to arrange for the necessary supplies. Advancing seed at cost price to be realized at harvest time may with advantage be adopted for ordinary cultivators of limited means.

No useful purpose is served by crying hoarse on ever-increasing Police expenditure. Improvement of the department we all want, and both the Government and the people are vitally interested in it. The real difficulty is how to accomplish it. As far as I have been able to study the question I think the department should be presided over and managed by the Civilians with the help of some experienced Deputy Magistrates, instead of by Superintendents of Police with the help of Deputy Superintendents of Police mostly recruited from lower ranks. The pay and prospects of the Superintendents of Police and Deputy Superintendents are not considered inadequate still improvement in that respect is also under the consideration of Government. But, my Lord, the real point is efficiency.

[The Hon'ble Member having exceeded his time-limit had to resume his seat.]

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I do not propose to delay the Council more than is necessary, but I feel it my duty on behalf of Government to reply to some of the points raised by the speakers this morning relating to the departments under my charge. I have first of all to take up the Sanitary Department, and would prefer to call it the Department of Public Health. It is gratifying to Government to find that the large provisions made for this important part of the public welfare has met with general satisfaction. Our Budget allotments for public health have, in fact, been rising more rapidly than many people know. The Budget estimate for 1917-18 stood at a little under 6 lakhs, last year it was very nearly 12 lakhs and in the present year it reaches the record figure of over 18 lakhs of rupees.

The Hon'ble Kumar Shib Shekhareshwar Ray says that though an allotment of nearly Rs. 14,00,000 has been made, no details have been given of the schemes on which the money is to be spent. I am afraid the Hon'ble Member could not have gone very carefully into the Budget, or else he would not have made this mistake. Details are given on page 83 of the Budget under no less than 25 heads and in introducing the figures on the 19th March I referred to this statement and gave some further particulars of the different schemes. As he seems, however, to still have some misapprehension, I may say that the Rs. 13,75,000 have been provided for works of three kinds :—(1) anti-malarial works, (2) works of sanitary engineering, such as schemes of water-supply, drainage and general improvement, and (3) certain items for recurring expenditure, such as quinine grants to local bodies, contributions for health officers and sanitary inspectors and works in connection with the Calcutta sewerage and the drainage of the Fringe area. The anti-malarial works are works of drainage drawn up on scientific lines devised by Dr. Bentley which, some members of this Council may remember, were explained in an address delivered by Your Excellency to a Conference of District Boards in this Council Chamber a little over a year ago. These works will either be carried out entirely by Government or Government will assist the district boards who will carry them out under the Bengal Sanitary Drainage Act with the help of loans which Government will also grant. I may mention here in connection with the Sanitary Drainage schemes,

and I should like to bring it to the notice of the Hon'ble Kumar Sahib, who has given me a pleasant surprise this morning by advocating the cause of tenants as strongly as that of zamindars, that the Manikhali and Bargachia Drainage projects are not only anti-malarial projects, but will indirectly benefit landlords of the adjacent areas, and, if I may say so, at the expense of Government, and I believe one of the gentlemen whom I am sorry not to find here to-day who will be largely benefited by the Manikhali Khal project will be the Hon'ble Member who was in charge of the Primary Education Bill, for he happens to have large properties there. I went down to see this project yesterday morning with Mr. Cowley and Mr. Adams-Williams, and we hope that it may be possible to open at least part of it before the next rains, and I hope to be able to look into one or two other projects of a similar nature before long. I may point out that these schemes have been taken up by Government and are a new departure because these schemes are going to be financed entirely by the Government to redeem the promise which Your Excellency made when you took over the reins of office, viz., to take up the question of anti-malarial measures in Bengal in right earnest. Before I leave the subject of Sanitation, I may perhaps be permitted to refer to the provision that has been made for an enquiry into the river pollution and the prevalence of kala-azar. The enquiry into the river pollution is due to the interest taken on the subject by the Hon'ble Rai Mahendra Chandra Mitra Bahadur, while the investigations into kala-azar is the outcome of questions on the subject asked by the Hon'ble Babu Brojendra Kishore Ray Chaudhuri. I mention these particularly because charges are not infrequently made that Government goes on its own way sublimely without regard to questions and resolutions in Council. I think that the provisions we have made in this direction are a proof that when good cases are made out, the Government are responsive to the expression of public opinion.

I now turn to the subject of Education on which a number of speakers have expressed their views. The first point which I have to notice is the complaint regarding unspent balances. The reason for the deficit in expenditure has already been explained by the Director of Public Instruction in introducing the figures for Education on the 13th of March last. His arguments were briefly as follows :—

(1) non-utilization in full of Imperial grants as certain of the proposed schemes have been sanctioned only in part ;

(2) transfer of money to the Public Works Department for educational works ;

(3) deputation to military duty of several officers of the Education Department with the consequent saving of salaries and house allowance ;

(4) stoppage of the payment of exchange compensation allowance ;

(5) impossibility of recruiting officers for the Indian Educational Service ; and

(6) decrease in contingent expenditure on account of the economy enforced by war conditions.

The greater part of the lapse is caused by our inability to spend fully the grant of 9 lakhs made by the Government of India for the improvement of the pay and training of teachers, and of the 5½ lakhs for the development of primary education. Our inability to spend fully is due to causes beyond our control. The savings on the 9 lakhs grant amount to no less than 5½ lakhs ; they are due entirely to the fact that we have not yet received sanction to our proposal for the improvement of secondary education and for our scheme of *guru*-training schools. Details have been given to-day in reply to a question by the Hon'ble Babu Bhabendra Chandra Ray and from that some interesting facts will be revealed. The 5½ lakhs grant was received during the year and all building work under this head has not been completed. Further as our

schemes under this head contemplate the building and subsequent maintenance of various schools, and as maintenance charges would not arise until the buildings are ready, it was impossible to contemplate the full expenditure in the first year of the grant.

The Hon'ble Sir Deba Prasad Sarbadhikari has referred to the grant for private colleges which he says has been suspended for the past few years. He goes on to say that he had looked forward not only to the restoration of the grant, but also to the payment of arrears and he is disappointed to find that item altogether omitted from the Budget. I must point out that he is entirely under a misapprehension. The grant was never withdrawn, but payment from it was restricted after the first year of the war. Like other allotments it fell under the embargo laid down by the Secretary of State against expenditure which was not justified by immediate necessity, and the University were free to make recommendations for any grant which fulfilled this criterion. Not only was the grant not withdrawn, but it still appears in the Budget. If the Hon'ble Member will refer to page 137 of the Civil Budget Estimates he will find the sum of Rs. 1,29,000 provided as usual. The Hon'ble Member is anxious that this grant should be increased. It must, however, be remembered that this is not the only source from which Government assists private colleges. The ordinary grant-in-aid allotment of the Education Department is an additional source of help. Grants from this source are given on a contributory basis and the expenditure during the last four years has not by any means been light.

Two speakers, viz., the Hon'ble Sir R. N. Mookerjee and the Hon'ble Babu Siv Narayan Mukharjee have expressed the hope that Government will give assistance to municipalities that will promote primary education on the lines indicated in the Primary Education Bill which was passed by this Council a few days ago. The latter gentleman goes further in referring to the absence of provision for the development of primary education under the new Act. This reference appears to ignore the principles on which a Budget must be framed. Provision cannot be made for possible developments under a Bill which at the time of the preparation of the Budget was merely a proposal before the Council and which when it becomes law will imply fresh expenditure only after certain preliminaries had been attended to. The survey of educational needs in each municipality has first to be made, estimates of its requirements prepared and then will be the time for municipalities to approach Government and to ask for financial aid, and for the Government to examine each scheme on its merits and then to consider what assistance it has got to give to partly finance such schemes. Before I leave the question of primary education, I think I ought to make some reference to a remark of the Hon'ble Rai Mahendra Chandra Mitra Bahadur made in connection with the proceedings of the Dacca Social Service Exhibition, stating that Indian school-masters are worse paid than coolies. This I think relates mainly to primary school teachers who, it must be understood, are not Government servants. Their humble emoluments are provided by Government grants and district boards' grants by fees paid by those whose children they teach. It is true their position is steadily being improved, but improvement must be difficult if the general public, according to the Hon'ble Rai Bahadur, go on paying coolies more than village *gurus*. A change is certainly necessary and it is not a change entirely for the Government to introduce, but it must be a change in the public point of view regarding the pay of these *gurus*.

I may perhaps now refer to the complaint made by the Hon'ble Babu Kishori Mohan Chaudhuri regarding the absence of Indian Educational Service officers in the Rajshahi College. His remarks on the subject, I may assure him, will not be overlooked, and I can promise him that I will take up the matter in consultation with the Director of Public Instruction. Both he and the Hon'ble Rai Mahendra Chandra Mitra Bahadur have urged the need of improving the prospects of the men in the Subordinate and Lower Subordinate Educational Services. I may remind them that this matter formed the

subject of a resolution over a year ago, and my predecessor, Sir S. P. Sinha, explained that it would be impossible to take up the reorganisation of the lower services till the higher services had been reorganized. It is necessary to decide what is to be the dividing line between the two. The minimum pay of the higher services must be determined before the maximum pay of the lower services can be fixed. In fact, I can only repeat the promises of Lord Sinha that the matter will be taken up when the Secretary of State passes orders about the higher services.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur has also brought up the matter of giving the Hindu and Hare Schools an installation of electric fans. My Lord, I may say that there are *punkhas* there and it is not a fact that there are no fans at all. It is rather a problem for the Government that on the one hand we are asked to provide fans, and on the other hand, we have the Hon'ble Rai Sri Nath Ray Bahadur who wants a much simpler style of living, and complains that 'our schools and colleges are mostly fed by boys of poor parents ; they live in their homes and humble huts and in a modest style ; they come to the hostels from Log Cabin to White House. What is the effect of these palatial buildings on young and impressionable boys ? They unconsciously adopt a style of living that they can vainly seek to find at home.' It is very difficult to know what to do in these circumstances. Perhaps the Government does indulge in large buildings and hostels, but I must remind the Hon'ble Rai Sri Nath Ray Bahadur that if Government makes a grant towards hostels, Government must insist on a reasonable standard of light, ventilation and accommodation and for other conveniences, and to see that the claims of hygiene and sanitation are not forgotten, and that the students are living in a clean and decent manner. That the charges in hostels are increasing is not generally a consequence of the hostel system in many cases. Hostel rents are increasing because the buying power of money has been diminishing rapidly during the last four years, nor is the Hon'ble Member correct in his nomenclature regarding the palatial buildings of Gothic and Saracenic architecture. If I may say so, the style of architecture usually adopted by the Public Works Department or private contractors is inspired first of all by considerations of economy and not of art and the Hon'ble Member will have to travel far in Bengal before he finds hostels with architecture reminiscent of the Saracens and the Goths. They would rather remind him of the art of their kinsmen, the Vandals.

In connection with the question of hostels, I think I must make some reference to the question of hostels for Muhammadans which has been raised by the Hon'ble Maulvi Abul Kasem. I may say that no schemes brought forward have been rejected. We have six schemes in hand, two for Government schools and four for private schools. The present hostel accommodation is not fully utilised, and Government has failed to find evidence of any pressing demand for extended accommodation. However, as has already been stated, Government is not unmindful of the fact and Government is doing all that it can to meet requirements. The Hon'ble Maulvi Fazl-ul-Haq also complained at a recent meeting of the Council that the Muhammadans were being inadequately provided in the schools and hostels. I may say that Government is in possession of facts to show that this is not really the case.

Before I conclude, Sir, I must make some reference to the question of female education which has been brought forward by the Hon'ble Rai Radha Charan Pal Bahadur. He has made a passionate appeal—though he did not cry himself hoarse here to-day, although he says he has done so on many occasions—for providing girls' schools for *bhadralog* classes. My Lord, I do not think it is realized that so far as the education of girls is concerned, Government is really more alive than the people themselves to the question ; our main difficulty is one of getting a sufficient number of educated women to come forward as teachers ; but I must here also point out that in a matter of this kind Government has to treat the subject as a whole. The

question of special schools for girls of *bhadralok* classes, or as the Rai Bahadur points out—of schools of a purely orthodox or semi-orthodox nature—must be solved by the gentlemen concerned themselves. It is too much to ask the Government to provide for these special institutions. Government can only provide for the general education of girls and can certainly take up the question of special institutions for girls of the *bhadralok* classes in Calcutta or other large towns in the mufassal if there is not only demand for it from the classes concerned, and if that demand is supplemented by funds from these *bhadralok* classes, but not otherwise.

I may also refer to a resolution which was recently put down (but not moved) in the name of the Hon'ble Babu Akhil Chandra Dutta regarding the elevation of the status of the Government Girls' School at Comilla. A scheme for increasing its accommodation at a cost of Rs. 1 lakh is ready; but the Department of Education was not successful in securing its retention in its list on page 52. A petition for the elevation of its status has recently been received, but it was not known whether the demand would justify this. The matter cannot, however, be investigated until we are in a position to proceed with the building for increased accommodation which is a prior requisite to any kind of development with reference to such an institution.

My Lord, this is all I have to say in connection with the departments under my charge; and I may once more remind the Hon'ble Members of Council who have been taking great interest in the question of primary education lately as well as in sanitation, that whilst Government is fully alive to the needs of the province in these respects and whilst Government will do all it can and all that lies in its power, the people have got to make up their minds if they are really in earnest about improving the health of their poorer countrymen, or if they want really to see the spread of primary education they have got to put their hands into their pockets and have got to realize once for all that special taxation in special areas must form one of the principal features of advancement in respect of these necessary measures of reform in the province."

The Hon'ble Mr. Cumming said :—

"My Lord, the subjects regarding which I propose to offer a few observations to the Council are the items of agriculture, famine relief and the co-operative movement which are under the control of the Revenue Department, and irrigation projects which are under the control of the Public Works Department. At the outset I should like to acknowledge the friendly reception which the estimates of the department under my charge have received from several Hon'ble Members; and, in particular, I should like to draw attention to the remarks of the Hon'ble Sir Rajendra Nath Mukherji.

When discoursing on the subject of agriculture, the Hon'ble Kumar Shib Shekhareswar Ray has complained of the standoffish attitude and exaggerated notions of self-sufficiency of the Department of Agriculture. He has also drawn special attention to the Agricultural Farm at Rajshahi, where, he states, he has seen no sign of activity. In answer to that observation, I may say at once that one who has no small knowledge of Rajshahi district informs me that this farm has done much good work, particularly in connection with sugarcane.

Again, the Hon'ble Maulvi Fazl-ul-Haq, who has done me the courtesy of giving me a copy of his remarks at the beginning of the present sitting, has repeated in another form the statements made at a previous meeting of this Council, suggesting that the work of the Agricultural Department is all wrong. He is, of course, entitled to his opinions; but I desire to protest strongly against the indiscriminate charges, suggesting moral obliquity, which he has thought fit to make against his own countrymen. Now, with reference to the charge of aloofness of the Agricultural Department,

I concede at once the proposition that the Department can effect little except in close co-operation with the people. But I repudiate the suggestion that the Department is manned by learned experts who are engrossed in their theoretical experiments and scientific researches,—to use the words of the Hon'ble Kumar himself. I venture to think that the Hon'ble Kumar has never met Mr. Milligan, the present Director of Agriculture, or the experts to whom is due all credit for their efforts in connection with the distribution of selected paddy and jute seed, the importance of which both the Hon'ble Kumar and the Hon'ble Maulvi Fazl-ul-Huq are inclined to depreciate. In this connection I have to say that it is a matter of regret to the Bengal Government that, by reason of ill-health, the Director is compelled to go on leave. Mr. Milligan's appointment was hailed with acclamation when it was made; and I have heard golden opinions about his work from various quarters. I am, therefore, surprised to hear the accusations which have been levelled at the Department to-day. Regarding these criticisms, it appears to me that the Hon'ble Members who make them do not realize that this Department is still in its infancy. I may say in passing that the Public Services Commission stated that in its present form it was born in the year 1905. Further, the Hon'ble Members do not realize that this Department has been nurtured from its birth by some of the best officers that Bengal has possessed; that its activities have been extended, are being extended and will be extended, and that the immediate lines of activity are the following:—the establishment of demonstration farms and of seed stores, the appointment in every district of agricultural officers and of trained demonstrators and the extension of agricultural associations. Regarding the view which has been put forward by these Hon'ble Members that there is a general lack of co-operation with the public, I need only say that I am prepared to pit my own experience against such a view: I have myself seen what the close co-operation of the people with the Agricultural Department can effect. There are three districts in particular, Sir, in which this co-operation has been highly developed: one in Northern Bengal, one in East Bengal and one a district in West Bengal. After all, Government do hold certain guiding principles for their action. As the Agricultural Adviser to the Government of India has well said, the great fact in Indian agriculture is that it is useless to improve agricultural practice if the seed is not good; and the second great problem is an organization to disseminate good seed. These two cardinal points the Government of Bengal keep in view.

I now turn, Sir, to the head of famine relief; and on this point the Hon'ble Rai Radha Charan Pal Bahadur has asked a very pertinent question. He says:—'Why should the district of Bankura of all districts in the Presidency of Bengal fall an easy prey to famine?' He asked us what are the economic causes that have brought about the poverty of the people in that area. He has suggested the excavation and re-excavation of irrigation tanks. Now, the economic causes are patent to anyone who has first-hand knowledge of the country which lies west of Bankura town on the confines of Chota Nagpur. In that area, we find a poor thriftless people who depend almost entirely upon one crop in the year. In years of moderate rainfall, they can obtain a good return from the low lands; but in years of the failure of the monsoon, the high lands bear no crops. As the population has increased, the cultivation has encroached on these high rocky unfertile lands; and the law of diminishing return comes into operation. The population seeks a remedy by migrating to obtain agricultural work in the districts of Hooghly and Burdwan; but the fact remains that they are forced to grow crops on land which is unsuitable for cropping and which will give a return only in a favourable year. For this reason the district of Bankura has suffered in the past: Bankura suffered contemporaneously with the great Orissa famine of 1866, the Bihar famine of 1874, with the distress of 1885 and the North India famine of 1897. The work that was done in this district during the distress of 1915-16 and the work that is done now, which I recently inspected, will help the district by improving communications and

by affording facilities for irrigation ; but the real remedy which, I trust, may possibly be obtained by the help of the Agricultural Department is the evolving of a drought-resisting autumn paddy which will grow on these high lands in years of defective rainfall.

Proceeding now to the subject of the co-operative movement, we have heard that the Hon'ble Maulvi Fazl-ul-Haq wishes the Council to believe that this movement has become officialized. I can only claim, Sir, that his judgment is entirely at fault ; and that if, in the general opinion of the public, there is one department regarding which it may be said that the administrative activity is primarily unofficial, it is the Co-operative Department. Under the same head, I find that the Hon'ble Kumar Shib Shekhareswar Ray has made a complaint regarding the selection of Naogaon for the headquarters of the Joint-Registrar of Co-operative Societies. In this matter, I think, he must be under a misapprehension, because this appointment of Joint-Registrar is not intended for Naogaon alone, but for the whole of northern Bengal. The problem before Government was to find out a place which was centrally situated with reference to the districts in the Rajshahi Division ; with reference to railway communications ; and with reference to the co-operative movement in that division. The selection of Naogaon which is practically Santahar—the importance of which as a railway centre the Hon'ble Kumar would himself concede—was made after an examination of all the considerations involved ; and for its selection I take full responsibility.

The second main head, on which I may offer a few remarks, is that of irrigation. The Hon'ble Rai Sri Nath Ray Bahadur has questioned whether the sum of half a lakh is sufficient for the improvement of water-channels in the Dacca district. The answer is that experience has shown that in the commencement of such projects as the *Dolai khal* and the new navigable route from the *Padma* to the *Dhaleswari* expenditure cannot proceed at a rapid rate ; and the amounts which have been allotted for the present financial year are meant primarily for land acquisition and other preliminaries. The same Hon'ble Member rather has, with a light heart, suggested the levy of tolls on all boat traffic in these water-channels. This raises a very large question indeed, into which I shall not enter here. But it cannot be unknown to the Hon'ble Member that there is a school of thought which maintains that such a tax on transport is indefensible on principle ; and I venture to wonder what the Hon'ble Member's attitude would have been if the suggestion had come from Government. Under the same head, I should like to correct a misapprehension on his part regarding the selection of Khulna as the headquarters of a waterways division. It is not intended that Khulna should be the headquarters for the Eastern Bengal areas, such as Dacca and Mymensingh ; obviously, it would be a most unsuitable selection. On the contrary, Khulna has been selected as headquarters for the areas which lie immediately to the east of Calcutta, namely, those in south and central Bengal.

Under the head of Irrigation, there are two remarks of the Hon'ble Rai Radha Charan Pal Bahadur to which I may briefly refer. As regards the enquiry concerning the construction of the new bridge across Tolly's Nulla at Kidderpore, I may say that the width of the bridge will be double that of the old one.

As regards his enquiry on the subject of the dependence of the port of Calcutta on the Bhagirathi river, I may inform the Hon'ble Member that the Report of the Nadia Rivers' Committee is approaching completion ; and I have no doubt that it will contain an exhaustive examination of a number of important hydraulic problems and will furnish helpful suggestions for the consideration of Government.

There are other points, my Lord, on which I might take up the time of the Council, but it would suffice to say that the Hon'ble Members who have

raised them may rest assured that the comments which they have made have been noted and will be considered by the different departments concerned."

The Hon'ble Sir Henry Wheeler said :—

"My Lord. I propose to confine myself to the particular departments which are in my charge, and the points that have been raised in connection with them are fortunately few. At the outset, there is the main question of the form of our budget, and I am glad to find that the attempts that we have made to cast the estimates into a form which is more easily intelligible have met with general appreciation, and I acknowledge the kind remarks that have been made in various quarters on that score. The Hon'ble Sir Deba Prasad Sarbadhikari made a useful suggestion that we might supplement the budget by an index, and the suggestion is well worth consideration, which it will receive. But otherwise, subject to any further modifications of detail which experience may indicate during the year, I think we have now got the budget into a fairly clear and simple shape.

The Hon'ble Rai Radha Charan Pal Bahadur has repeated his old suggestion that we should graft on to our present financial procedure the machinery of a standing Finance Committee. I can only give the same answer that I did on a previous occasion, namely, that he is really asking for a change which is closely connected with pending reforms which have been mooted; but as matters stand we can only carry on our financial procedure on the lines which have been laid down for the whole of India and which govern all provinces. Further large constitutional changes must await whatever decision may be come to on the Reforms Scheme which will shortly occupy the attention of Parliament.

Turning to details, perhaps the department that has loomed largest on the financial side this year is that of Excise, and I welcome the opportunity of making a few remarks about it, as I fully recognize that the large increase in our receipts under this head has quite properly attracted attention and possibly, in some quarters, has caused a certain amount of uneasiness. It is the case that our Excise receipts during the current year show a large increase over those of the preceding year, as we have made no attempt to conceal. On the contrary we emphasized the fact in the budget, and I again emphasized it in the remarks which I made in this Council. The three main items with which we are concerned in the Excise budget are country-spirit, ganja and opium. As regards ganja and opium I do not think there is any particular cause for anxiety, as the revenue during the last five years has been fairly steady, and the statistics of consumption show a marked decrease. If we take the consumption figures for the first ten months of each year—I take ten months in order to get an up-to-date comparison with the year 1918-19—the consumption of ganja, which was roundly 92,000 seers in 1914-15, was only 67,000 seers in the corresponding period of the current year, a very marked fall. Similarly, in the case of opium, the figures for the same ten months in 1914-15 were 52,000 seers, but in the first ten months of this year only 34,000 : again, a very noticeable decline. So in these two respects it may be said that there is no evidence that the province is being unduly demoralized. But when we come to country-spirits, I admit the case is different, and taking the same ten months' basis, we find a consumption of 594,000 gallons in 1914-15, as against a consumption of 649,000 gallons in the current year. The four districts which are mainly responsible for this result are Calcutta, the 24-Parganas, Hooghly and Howrah ; and it has been brought about largely by the following causes. In the first place there is the substitution of the fixed-fee system of settlement for that of auction, which was introduced in Calcutta on the 1st of April, 1917, and in the other three areas on the 1st of April, 1918. That change greatly discouraged the practice of dilution, and has enabled us to gain current information about the progress of the trade which has rendered possible a very substantial increase of duty at comparatively short intervals.

Sir Henry Wheeler.

The second main cause is the progress which we think we have affected in checking illicit practices; they still continue, of course, but we believe they are less owing to departmental efficiency. The third cause is the rise in price and decrease in supply of foreign liquor, which has encouraged the resort to Indian-made foreign liquor. Those are the three principal causes which have been operative, and the first, as has been acknowledged by Sir Deba Prasad Sarbadhikari, was introduced in response largely to the advocacy of temperance reformers, and I have here many extracts from reports, memorials from temperance workers, etc., which would substantiate that claim. The idea is that under the auction system there is a tendency for license fees to be forced up, thus compelling vendors to push sales in order to recoup the heavy bids which they may have been led into making at the time of auction settlement, and it is thought to be a sound feature of Excise policy to reduce the proportion of revenue which is derived from license fees, and to increase that which comes from duty. That this has been achieved can be substantiated by the figures, this time on a nine months' basis, which show that in 1914-15 out of our country-spirit revenue of Rs. 49 lakhs, Rs. 20 lakhs was derived from license fees and Rs. 29 lakhs from duty. But in 1918-19 out of a total revenue of Rs. 56 lakhs, we have Rs. 13 lakhs derived from license fees and 43 lakhs from duty. Therefore, in that respect, our policy does answer the test which has been laid down by temperance reformers, and that also we have not been unmindful of the necessity of checking consumption is shown by the fact that in Calcutta we raised the duty after we introduced the fixed-fee system once in August 1917, and again in January 1918; while in Calcutta, along with the other districts affected by this change, the duty was put up again in October 1918, and in February of the current year, while elsewhere there have been increases from the 1st of April. So the department can claim that they have kept a careful watch on consumption, and have raised the duty in a very marked degree; in fact, we have in some areas raised the duty above the tariff rate per L. P. gallon, although, to quote the words of the Excise Committee: 'it has repeatedly been laid down that the maximum rate of duty on country-spirits should be the tariff rate on imported spirits'. That was their pronouncement, but nevertheless, in our desire to check consumption, we have in certain areas disregarded it. To take another test, of the number of shops, we have reduced the number of country-spirit shops in Calcutta from 107 in 1914-15 to 78 in the current year, a very substantial reduction, and from the 1st of April last we have abolished another 15 shops with an average sale of 30,000 L. P. gallons from which we derived a revenue of Rs. 4 lakhs. Therefore, the department can represent that they have not sacrificed the interests of the province to their desire for revenue. Again, although I have admitted that in these four areas there has been an increase in consumption, it should not be overlooked that the consumption is still below that of 1912-13, although our revenue is considerably higher.

Turning to the second main cause, it can be no ground of complaint that we have succeeded in checking illicit practices, although in some districts, noticeably in Bakarganj, it is believed that that has contributed to the growth of licit consumption.

As regards the encouragment given to the production of Indian-made foreign liquor, the following figures for nine months of the duty receipts under this head show a revenue roughly of Rs. 7½ lakhs in the current year, as against Rs. 4¾ lakhs approximately last year, while the duty on rectified spirit issued for the compounding of potable foreign liquor has risen from rather over Rs. 3 lakhs in 1917-18 to about Rs. 5 lakhs in 1918-19. I think these figures show that in consequence of the decrease in the supply of foreign liquor the duty under Indian-made foreign liquor and rectified spirits has gone up, and they afford an answer to the doubts which the Hon'ble Sir Deba Prasad Sarbadhikari has expressed, that really foreign liquor has not had much to do with the matter. In the detailed figures he has given about Mymensingh and Dacca, I think he must have made some mistake. I can

show him our figures later on, if he wishes, but merely say now that our statistics are different from those that he has quoted.

Incidentally, a feature of the figures which has also helped to increase the total revenue, is the growth in the revenue derived from the manufacture of tinctures in bonded laboratories, in which the nine months' receipts of Rs. 1,30,000 last year have gone up to Rs. 2,52,000 this year. That, of course, is satisfactory, in so far as this manufacture of tinctures has replaced in a *swadeshi* way what was previously, presumably, imported from abroad.

As regards possible remedies, the Hon'ble Sir Deba Prasad Sarbadhikari has made various suggestions, and I will briefly refer to them. He would like to see liquor of weaker strength substituted for more potent varieties, but this is a point which has already attracted attention, and I can give him details showing specific reductions made from time to time in different areas. We have also taken steps in some districts to put a preferential rate of duty on the weaker strengths so as to give them an advantage over the stronger. As a second suggestion he advocates a restriction of supply on the lines of the action taken in the case of opium, that is, not to permit the sale of more than a certain quantity from one shop. But I may point out that that system has never been entirely satisfactory even as regards opium, and in the neighbouring province of Bihar and Orissa it has been given up. We maintain it here largely on account of the facilities which exist for smuggling opium to Burma over which some check can be exercised in this way. But it is not a method that is free from complications, and the departmental view is that in respect of liquor it would be almost impossible to estimate what a standard monthly issue should be. A third suggestion is that we should try and separate off and on licenses. I am advised that as regards the *mufassal* this would probably merely increase the total number of licensed shops; in Calcutta, I am told, there may be greater possibilities, and the Excise Commissioner will look into the matter, as soon as we see the effect of the reduction in the number of shops which we have just brought about. As a fourth point, the same Hon'ble Member has put forward the desirability of offering counter-attractions to the consumption of liquor, but I am afraid the evidence against him is rather more definite than perhaps one would infer from his speech. In the first place, there are already counter-attractions in the shape of tea-shops which are run on a commercial basis, and I think it was only a few days ago that there was some reference in the newspapers to the report of the Tea Cess Committee that a considerable measure of success has been achieved in that direction. These shops are being run from motives of commercial self-interest, and commercial self-interest will probably do more to give an impetus to the movement than official encouragement. The attention of the local Government was, however, drawn to the matter in 1916, and we promised assistance in pushing through the licenses which are required for tea-shops in Calcutta. Apart from this, and in connection with counter-attractions in general, we have the very definite findings of three provinces—Madras, Bihar and Orissa and the Punjab. I will read an extract from a Madras report of 1918 bearing on this system :—

'The net conclusion derived from a perusal of the Collector's reports is that in the majority of cases in which the experiments are complete, they have failed to create a demand for the alternatives offered to intoxicating drinks, and that even where the experiment was a financial success, there is nothing to indicate that it has done anything to decrease drunkenness. It seems unlikely that this would be the case for three reasons :—

(*a*) that tea and coffee appeal to a different class from those who drink toddy and arrack;

(*b*) that they are generally dearer; and

(*c*) that they were offered as alternatives and not as substitutes.

On the other hand, the experiments seem likely to have an effect that was not expected by those who suggested them. The evil of the drink habit shows itself in two ways, in the mental and physical deterioration of the drinker and in the limitation of the proportion of his wage that is available to pay for the food of himself and his family.

The 'coffee club' habit, if it is free of the former objection, is open to the latter in an equal, if not greater, degree, especially in the case of the daily labourer. It offers a temptation to many of those who do not drink alcohol and whose ordinary drink is water. Many educated Indians, therefore, regard it as a danger in itself.

The whole experiment illustrates the danger of transplanting wholesale a social arrangement that is suitable in one country into another of a different climate and customs.'

That was the experience of Madras. In Bihar and Orissa, the report of 1918 merely says: 'the opening of tea and coffee shops has not so far provided an effective counter-attraction to those who want intoxicating drinks.'

In the Punjab we have a very definite finding which has been reproduced in a publication—*Abkari*—with which the Hon'ble Sir Deba Prasad Sarbadhikari is doubtless acquainted. It says 'In connection with certain suggestions made by the Temperance Societies' deputation to His Excellency the Viceroy in 1913, advocating provision by the Government of counter-attractions to drink the Punjab Government recently consulted a large number of officials and leading non-officials. The inquiry has resulted in the accumulation of a large weight of official and non-official opinion, which is almost unanimously condemnatory of the proposals as being either trivial or impracticable, or even prejudicial to the cause it is intended to promote.' I am afraid, therefore, that this solution does not offer a very hopeful prospect.

Lastly, the Hon'ble Member has suggested certain improvements in the conditions of service in the Excise Department. As will appear from a resolution which we issued the other day, there are a few details about the department which we shall shortly have under examination, but as a general statement, I do not admit that the conditions of service in the Excise Department are markedly defective. The service was reorganized only a few years ago, and in comparison with other branches of Government employ it offers prospects which are not unreasonable. There may be points of detail in which improvements can be made, but as a whole, I do not think there is anything radically wrong.

So much for Excise, in connection with which I have attempted to show that we are perfectly aware of this large increase in revenue, but that we have in the matter of country-spirit taken action to counteract it and, while discouraging undue consumption, to increase the price which those who drink have to pay.

Apart from Excise, I will now pass on to a group of suggestions which are of a common type, advocating the improvement of the conditions of service in various departments. Among the first of these we have our old friend the Provincial Judicial Service, regarding which we have just addressed the Government of India, and we hope that orders will be received very shortly. With reference to the Provincial Executive Service, of which mention has also been made, it will be seen that we published a resolution the other day in connection with the recommendations of the Public Services Commission, and on receipt of opinions on that we shall similarly make recommendations to the Imperial Government. Another Service which has been brought to notice by the Hon'ble Rai Radha Charan Pal Bahadur is that of Assistant Surgeons, with the complaint that the initial pay is still only Rs. 100: that is true, but on the other hand, it is a Service which twice during recent years has come under reorganization, and although the initial pay of Rs. 100 has been maintained, we have replaced the old grades, which led to a certain slowness of promotion, by an incremental system rising up to Rs. 300, and have raised the higher grades, which at one time were only Rs. 200 and Rs. 300, to Rs. 325 and Rs. 350. Therefore, as a whole, the conditions of that Service have been materially improved, and so far we have not experienced any undue difficulty in getting candidates. Thirdly, we come to the various clerical establishments, whose grievances are always with us, and I will not repeat what I said at a recent meeting, except to mention that

in fulfilment of the expectation which I then held out, we have addressed the Government of India, not quite on the lines I then suggested of extending grain compensation allowance, but proposing a war bonus of 5 per cent. to those in receipt of Rs. 30 and less. That will help the most lowly paid clerical establishments, and it should be taken in conjunction with the other improvements in prospects which we have given to menial servants and the individual establishments as they came before us from time to time.

Lastly, we have the Police, in connection with which we have the usual complaint that our expenditure is excessive, apparently, at the moment, thanks largely to my malign influence. But I think if the Hon'ble Mr. Fazl-ul-Haq will make enquiries from the department, he will find that it is far from the case that the combination in myself of a certain amount of financial experience with knowledge of the Police Department is always to the advantage of the latter. The traditions of the Financial Department, in which I have spent a good deal of my time in this country, are in the direction of cutting down expenditure, and being imbued with those traditions I have cut down various police proposals which probably would have been favoured by anybody looking at them solely from the departmental standpoint. It is true, however, that our Police expenditure is heavy and last year we heard more to that effect than we have this year. After the debates of last year, I had enquiries made, applying various tests to the Police expenditure in Bengal in comparison with other provinces. They were not very satisfactory tests because it is difficult to reduce provinces of the large size and varying conditions of Indian provinces to one common denominator, but taking a few rough tests, such as the expenditure on the police per head of population, and the numerical proportion of the police to population and area, the comparison in no way showed that the expenditure on police in Bengal was extravagant in comparison with that which was found necessary elsewhere. On the contrary it pointed to the conclusion that, with the possible exception of the province of Bihar and Orissa, which, of course, in past years has been administered on very similar lines to Bengal, other provinces are more highly policed than we are. One of the reasons for our present heavy expenditure, as I have had occasion to point out before, is that we have leeway to make up—leeway especially in the matter of buildings and in the rates of pay, while owing to unfortunate political conditions we have had to spend regrettably large sums of money on our Intelligence Branch.

So much for the customary complaint that Police expenditure is excessive, although from the Hon'ble Maulvi Abul Kasem we have had the somewhat unusual grievance that we do not pay some members of the police enough, and he has particularly mentioned the cases of inspectors, sub-inspectors and constables. I think, however, he has under-estimated what we have done. Taking the case of inspectors, before the days of the Police Commission their lowest grade was Rs. 100, but now it is Rs. 150, although the maximum remain the same. Taking the case of sub-inspectors, before the days of the Police Commission their lowest grade was Rs. 30, and their maximum Rs. 80; but now their lowest grade is Rs. 50, and the maximum Rs. 100. Taking the case of head-constables, before the days of the Police Commission, the three lowest grades received pay of Rs. 15, 12, and 10, but now no head-constable receives less than Rs. 17-8, and our recent proposals, which are under the consideration of the Government of India, will further better their prospects. In the old days, before the Police Commission, constables got Rs. 6, 7, 8, and 9, but now, in the armed branch, they get from Rs. 11 to Rs. 14, and in the unarmed branch, from Rs. 10 to Rs. 13. Therefore, prospects, on the whole, have been materially improved.

The next department in my charge is that of Medical. Reference has been made to the subject of medical education, but I dealt with that fully at a recent meeting and will not repeat what I then said. Another suggestion has been made by Maulvi Abul Kasem that we should foster the system of itinerant doctors. That is a plan of which I was in favour when I was a member of the Drainage Committee, which advocated it, but on looking into the papers, I find that the experiment has been tried and has never been a great

The President,

success, owing largely to the difficulty of supervising the men who are sent into the districts, and especially, since 1916, owing to the difficulty of getting sub-assistant surgeons on account of the war. Its place has latterly been taken by devoting the funds which were previously so applied to the free distribution of quinine.

The only other point which I would like to notice is one on which I think a certain amount of misunderstanding exists. It, too, refers to the Police, and it was raised by the Hon'ble Raja Hrishikesh Laha in the form of a suggestion that we should attempt further to recruit Bengalis in the place of up-country constables. We often read in the papers remarks which would imply that people think that the police force in Bengal is even now almost entirely manned from up-country. That, Sir, is not the case. During the last 7 years out of 22,596 recruited constables, approximately 9,057 or 40 per cent. were Bengalis, and in 1918, 61 per cent. of the total number recruited were Bengalis. In 1917 it was 53 per cent. We have been steadily pursuing this policy of trying to recruit local men as far as possible, and it is a policy which the Inspector-General of Police, Mr. Plowden, has encouraged actively, while, as will be noticed from the figures, it has met with appreciable success.

I doubt, Sir, if there is any other point of detail with which I need now worry the Council. Our immediate financial difficulties are, of course, the unfavourable economic conditions, the crop failure in Upper India and Bombay and the scarcity in two of our own districts, while we have the prevailing high prices to which attention has been drawn and which are pressing hardly upon us. We can only hope that with the restoration of more normal conditions after the war, and with the aid of a good harvest during the current year, the circumstances of the province in these two respects may speedily improve. No one will welcome that result more than the Financial Department.

Finally, I would refer to the fact that this will be the last budget with which Mr. Donald will be connected, and I would like to bring to the notice of the Council the excellent work which he has done in connection with the Finance Department during the last four years. I have often told him that his fault lay in over-estimating his expenditure and under-estimating his revenue, but from the point of view of the financial resources of the province, these qualities have been instrumental in building up the large balances which we now possess, and which we hope will be spent with usefulness in the approaching years. He has always been a strict custodian of provincial funds, and I think the Hon'ble Mr. Fazl-ul-Haq can rest assured that even my influence has not been able to overcome his economical tendencies. In thanking him for the work which he has done in the past, we wish him all success in the important office upon which he is about to enter."

LIST OF BUSINESS—ITEMS Nos. 3 and 4.

RESOLUTIONS.

(Under the rules for the discussion of matters of general public interest)

The President said :—

"Owing to the regrettable illness of the Hon'ble Mr. Carter I have agreed to the postponement till a later date of the motion which stands in his name."

The following resolution and the amendment thereto were postponed :—

Mr. Carter; Rai M. C. Mitra Bahodur.

The Hon'ble Mr. F. W. Carter to move the following resolution :—

This Council recommends to the Governor in Council that a commission of inquiry be appointed to consider the whole problem of leprosy in the city of Calcutta, and the legislation required in connection therewith.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur to move, by way of amendment, that in the Hon'ble Mr. Carter's resolution after the words "City of Calcutta" the words "and other municipal towns in the mufassal" be inserted.

ADJOURNMENT.

The Council was then adjourned to Monday, the 7th April, 1919, at 11 A.M., at Government House, Calcutta.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA,
The 15th April, 1919.

B. S. Press—26-4-1917—85J—350—R.F. & C. A. P.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Monday, the 7th April, 1919, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble Mr. G. A. BAYLEY.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

QUESTIONS AND ANSWERS.

LIST OF BUSINESS—ITEM No. 1.

The following questions which had been starred were put and answered :—

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***1.**

(*a*) Will the Government be pleased to state—

(*i*) when the Calcutta hackney-carriage department will be taken over by the Commissioner of Police from the Corporation ; and

(*ii*) whether the entire staff of the present hackney-carriage department will be taken over by the Commissioner of Police ?

Transfer of the hackney-carriage department from the Calcutta Corporation to the Commissioner of Police

(*b*) If it is not proposed to take over the entire staff, will the Government be pleased to state what provision will be made for those of the staff who will be thrown out of employment ?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) (*i*) It is proposed that the Commissioner of Police should take over charge of the department when the sanction of the Government of India to the entertainment of the necessary staff has been obtained.

(*ii*) The answer is in the negative.

(*b*) The matter is under consideration."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***11.**

(*a*) Has the attention of Government been drawn to a memorandum by Mr. Nilambara Mukherjee, C.I.E., retired vice-chairman of the Corporation of Calcutta and formerly Finance Minister, Kashmir, elaborating a new " scientific scheme of public finance " ?

New scientific scheme of public finance.

(*b*) Is it a fact that Sir Daniel Hamilton recorded a testimony in relation to its introduction to the effect that the proposal of Mr. Nilambara Mukherjee is the only scientific system ?

(*c*) Is it also a fact that the author of the scheme alleges that benefit would accrue both to the Imperial and Provincial Government ?

(*d*) Will the Government be pleased to state whether they are considering the matter and whether they propose to take any steps in the matter ?

Answer by the Hon'ble Mr. Donald:—

" (*a*) Government have seen a copy of the memorandum referred to.

(*b*) Sir D. Hamilton's views are contained in the following extract from a letter written by him to Mr. Mukherjee :—

> ' I understand your proposal to be that Government should withdraw all silver money from circulation, and print and issue in its stead, whatever paper money may be required to keep every able-bodied man and woman fully employed on productive work, leaving the small metallic money to help out the paper.
>
> What you propose is, in my opinion, the only scientific form of currency, but whether it would be wise to withdraw all silver money immediately is a point on which there is room for difference of opinion.'

(*c*) The intention of the scheme is the creation of money exclusively in inconvertible paper currency notes to an extent not exceeding the sum total of the rupee values of the natural assets of the country. It is claimed that benefit would thus accrue to the whole Empire.

(*d*) The scheme has been prepared for the consideration of the Government of India, and as currency problems are a matter for that Government this Government do not propose to take any action."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***III.**

(*a*) Is it a fact that the reorganisation scheme of 1910 has adversely affected the pay and prospects of the lower grade assistants of the Bengal Secretariat who entered that office long before the reorganization scheme and of those assistants who were transferred from the Eastern Bengal and Assam Secretariat in April, 1912?

(*b*) If so, will the Government be pleased to state what steps have been taken to remove the hardship in the case of the lower grade assistants who entered the Secretariat before the reorganization scheme of 1910 or were transferred from the Eastern Bengal and Assam Secretariat in April, 1912?

(*c*) What is the pay of a typist and of a lower grade assistant in the Secretariat?

Answer by the Hon'ble Mr. Donald:—

" (*a*) and (*b*) In 1910 the clerical staff of the Bengal Secretariat was reorganised and a lower division and an upper division were constituted. It was then laid down that up to 1915 half the appointments to the upper division should be made by promotion from the lower division, and thereafter the lower division should ordinarily have no claim to promotion to the upper division. The position was that the lower division was intended for clerks doing routine work only, and the orders of 1910 contemplated the promotion to the upper division only of clerks fit to undertake the more important work of the upper division. In December 1913 assistants in the lower division submitted a memorial to Government complaining of their prospects and position. The memorial was duly considered; it was found that the memorialists had a genuine grievance, as between 1910 and 1913 promotion from the lower to the upper division had not been in accordance with the orders of 1910, and instructions were issued with a view to the removal of this grievance. The assistants again memorialised Government in 1917, and it was held that the lower division clerks had no case for complaint except that in the case of two departments orders passed in 1910 and 1913 regarding the promotion of such clerks to the upper division had not been fully adhered to. Steps have been taken to remedy this grievance and promotion is now being made in these cases.

(*c*) The pay of a typist is Rs. 40—2—80 per mensem and that of a lower division clerk varies from Rs. 40 to Rs. 100."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***IV.**

(*a*) Is it a fact that a member of the Indian Civil Service has been appointed to the post of Collector of Calcutta?

(*b*) Was not the post hitherto reserved for a member of the provincial executive service, who was also in charge of the treasury?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Government be pleased to state why a departure has been made in the present case?

(*d*) Will the Government be also pleased to state who will do the work of the treasury officer under the new arrangement?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Yes.

(*b*) No. The appointment of Collector of land revenue, Calcutta, is reserved by statute for a member of the Indian Civil Service. Until recently the post was held by the Collector of the 24-Parganas *ex officio* and the functions of deputy collector of land revenue, Collector of Stamp revenue and Collector of Excise in Calcutta were exercised by an officer selected from the provincial executive service. Another deputy collector was ordinarily employed as treasury officer and on other miscellaneous work, but in 1916 the deputy collector of land revenue was relieved of most of his duties in connection with excise and no second deputy collector has since been employed.

(*c*) The arrangement has been found unsatisfactory, and in view of the increasing complexity of the work, particularly in the matter of excise administration, and the magnitude of the financial interests involved, it has been considered necessary to appoint a member of the Indian Civil Service as whole-time Collector of Calcutta. This officer will also be able to discharge a number of other functions which in an ordinary district are performed by the District Officer, but which in Calcutta have hitherto devolved upon the Commissioner of Police.

(*d*) A deputy collector has been selected to hold charge of the treasury and to perform routine duties in the Calcutta Collectorate."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***V.**

(*a*) Will the Government be pleased to state whether it is in contemplation to sanction grain compensation allowance to all classes of employés under Government drawing pay up to Rs. 30 per mensem? Grain compensation allowance.

(*b*) If so, what amount will an individual employé get per mensem as grain compensation allowance under the scheme?

Answer by the Hon'ble Mr. Donald:—

"(*a*) and (*b*) No, but a proposal has been made to the Government of India for the grant of a war bonus to such employés."

By the Hon'ble Kumar Shib Shekhareswar Ray:—

***VI.**

(*a*) Will the Government be pleased to state how many new newspapers, periodicals and journals, with political aims, have been started during the last three years, stating their names and also the amount of security which has been taken from each of them under the Indian Press Act, 1910 (I of 1910)? Newspapers, periodicals, etc., started with political aims during the last three years.

(*b*) Is it a fact that no security has been taken from newspapers published under European management?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) As it is not clearly understood what is meant by the expression 'political aims,' a statement of all newspapers, periodicals and journals

started during the last three years is laid on the table, showing whether they have been exempted from the deposit of security, and if not, the amount demanded.

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. VI (Starred) asked by the Hon'ble* KUMAR SHIB SHEKHARESWAR RAY *at the Council Meeting of the 7th April, 1919, giving the names of newspapers, periodicals and journals started during the years 1916, 1917 and 1918.*

Serial No.	Name of newspaper, periodical or journal.	Whether exempted from deposit of security or if not exempted, amount demanded.
	1916.	
1.	Abhan	Exempted.
2.	Adib	Rs. 1,000.
3.	Akhyan	Exempted
4.	Akon	Ditto.
5.	Anath Bandhu	Ditto.
6.	Ayurved	Ditto.
7.	Bani	Ditto.
8.	Basanti	Ditto.
9.	Bengal Economic Journal	Ditto.
10.	Chhatraranjan	Ditto.
11.	College Magazine, Chittagong ...	Ditto.
12.	Dinajpur Patrika	Rs. 500.
13.	Girl Guides News Sheet for India ...	Exempted.
14.	Hare School Magazine	Ditto.
15.	Islam Darsan	Ditto.
16.	Jogbal	Ditto.
17.	Karma	Ditto.
18.	Khulna	Ditto.
19.	Krishi Sambad	Ditto.
20.	Looker-on	Ditto.
21.	Magazine of the Church Missionary Society High School	Ditto.
22.	Malancha	Rs 500.
23.	Manasi O Marmabani	Exempted.
24.	Matriculation English, Weekly ...	Ditto.
25.	Midnapore College Magazine ...	Ditto.
26.	Naivedya	Ditto.
27.	Namasudra Hitaishi, Dacca	Ditto.
28.	Navaroz	Ditto.
29.	Noakhali	Ditto.
30.	Pataka	Ditto.
31.	Power	Rs. 500
32.	Pratidhawani	Exempted.
33.	Pratishtha	Ditto.
34.	Pushpanjali	Ditto.
35.	Sachitra Sadhan Bijnan	Ditto.
36.	Sadaqat	Rs. 1,000.
37.	Sasangini Sajjantoshini, Nadia ...	Exempted.
38.	Scholar, Chittagong	Ditto.
39.	School Boy's Friend	Ditto.
40.	Sib Sangit Patrika	Ditto.
41.	Sib Sangit Patrika	Ditto.
42.	Sri Krishna Pathsala Magazine ...	Ditto.
43.	Subarnabanik Samachar	Ditto.
44.	Suhrid, Bakarganj	Ditto.
45.	Sunday School Magazine, Tamluk, Midnapore.	Ditto.
46.	Syamgram School Magazine, Dacca ...	Ditto.
47.	Upachar, Malda	Rs. 500.
48.	Young Men's Christian Association Notes.	Exempted.

Serial No.	Name of newspaper, periodical or journal.	Whether exempted from deposit of security or if not exempted, amount demanded.
	1917.	
1.	Assam Diocesan Magazine	Exempted.
2.	Bina	Ditto.
3.	Bikas, Rangpur	Ditto.
4.	Boy Scout Gazette of India	Ditto.
5.	Chota Nagpur Diocesan Paper, Ranchi ...	Ditto.
6.	Commercial Record	Ditto.
7.	Indian Film Gazette	Ditto.
8.	Indian Ink	Ditto.
9.	Jamhur	Rs. 1,000.
10.	Janani	Rs. 500.
11.	Journal of the United Provinces Historical Society.	Exempted.
12.	Katha	Ditto.
13.	Murari Chand College Magazine, Dacca ...	Ditto.
14.	Madhuri	Rs. 500.
15.	Masjid, Khulna	Exempted.
16.	Naqqash	Rs. 1,000.
17.	Navavani	Exempted.
18.	Pracharak	Ditto.
19.	Prabhat, Assam	Ditto.
20.	Pratibha, Dacca	Ditto.
21.	Seva	Ditto
22.	Star	Ditto.
23.	St. James' Parish Magazine	Ditto.
24.	St. Paul's College Magazine	Ditto.
25.	Sukha Samachar, Dacca	Ditto.
26.	Sudhamaya	Ditto
27.	Tirmizee	Rs. 1,000.
28.	Tripura Gazette, Comilla	Exempted.
29	Visvamitra	Rs. 500.
	1918.	
1.	The Business World	Rs. 500.
2.	Prem Pushpa	Rs. 500.
3.	Millat	Rs. 1,000.
4.	Rahbar	Rs. 1,000.
5.	Mawar Bhanodoy	Rs. 500.
6.	Teli Samachar	Exempted.
7.	Mukul	Ditto
8.	Tips and Taps	Ditto.
9.	Pudmawati Purwal	Ditto.
10.	Bureau de Worlds News	Ditto.
11.	Swastha Mandir Patrika	Ditto
12.	Scientific Horticulture	Ditto.
13.	Hanneman	Ditto.
14.	Business	Ditto.
15.	The Regiment Circular	Ditto.
16.	Master Minds, 24-Parganas	Ditto.
17.	Veterinary Journal of India, 24-Parganas	Ditto.
18.	Rash Dipika, Birbhum	Ditto.
19.	Bhumi Lakshmi, Birbhum	Ditto.
20.	Santi Niketan, Birbhum	Ditto
21.	The Bengal Presidency Gazette, Nator Rajshahi	Ditto.
22.	Dacca Collegiate School Magazine ...	Ditto.
23.	The Nava Kumar Institution Magazine, Dacca	Ditto.
24.	Dacca Law Society Journal	Ditto.
25.	Seba, Dacca	Ditto.
26.	Barisal Zilla School Magazine . ..	Ditto.

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble Babu Akhil Chandra Datta:—

1.

(*a*) Will the Government be pleased to state the sanctioned number of Deputy Superintendents of Police in the provincial cadre of the police force?

(*b*) How many of these are direct appointments?

(*c*) How many are held by promoted inspectors?

(*d*) How many of the latter appointments are held by European and Anglo-Indian inspectors?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Twenty-nine.

(*b*) Fourteen.

(*c*) Fifteen.

(*d*) Four."

By the Hon'ble Babu Akhil Chandra Datta:—

2.

Will the Government be pleased to lay on the table a statement giving a history of the service of each of the European and Anglo-Indian Deputy Superintendents of Police showing—

(*a*) the various appointments they have held since they were admitted into Government service;

(*b*) the nature of the duties they performed in each of those appointments (*i.e.*, whether they were in charge of any crime or investigation work or were in charge of some office, drill or discipline); and

(*c*) what pay they received in each of the appointments?

Answer by the Hon'ble Mr. Kerr:—

"A statement giving the history of the services of these officers in non-gazetted posts, so far as it is available, is laid on the table. Their services after promotion to the rank of deputy superintendent are stated in the history of services of gazetted officers."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. 2 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 7th April, 1919, showing the non-gazetted services of certain European and Anglo-Indian Deputy Superintendents of Police.*

Mr. A. J. M. Matthews	Enlisted as a head constable on Rs. 25, 26th May 1885.	
	Promoted to Sub-Inspector— (3rd grade) on Rs. 60, 1st January 1886 (2nd grade) on Rs. 70, 1st June 1886 (1st grade) on Rs. 80, 6th August 1891.	
	Promoted to Inspectorship— (4th grade) on Rs. 100, 20th May 1893. (3rd grade) on Rs. 150, 1st May 1896.	Town Police.
	(2nd grade) on Rs. 200, 27th October 1898.	Mill Inspector.
	(1st grade) on Rs. 250, 7th April 1903.	Town Police.
	Promoted to the rank of Deputy Superintendent of Police on Rs. 250, 11th June 1908.	
Mr. R. C. Durup de Dombal.	Was a clerk prior to joining the Eastern Bengal and Assam Police on the 20th August 1907 as Inspector of Police, 3rd grade, on Rs. 175, and posted to the River Police. He was transferred to the Criminal Investigation Department on the 5th December 1909, and while there was promoted to the 4th grade of Deputy Superintendent of Police on the 1st October 1910.	
Mr. W. Murray ...	Enlisted as Sub-Inspector, 4th grade, 7th July 1899. Promoted to 4th grade Inspector, 4th October 1900. Promoted to 3rd grade Inspector, 24th August 1904. Promoted to 2nd grade Inspector, 7th July 1906. Held charge of the Sambalpur District from the 9th September 1908 to the 12th October 1909; on reversion was employed on Reserve and Town Police duties.	
Mr. J. Harlow ...	Enlisted as a 3rd grade Armed Police Inspector on Rs. 175 on the 19th June 1905 and posted to the Constables' Training School at Purulia. Was promoted to the 2nd grade on the 1st April 1907. Was promoted to act as Deputy Superintendent of Police from the 16th December 1908 and appointed Principal of the Constables' Training School, Berhampore. Was promoted substantive *pro tempore* to the 4th grade of Deputy Superintendent of Police on the 1st July 1917.	

By the Hon'ble Babu Akhil Chandra Datta:—

3. Will the Government be pleased to lay on the table a comparative statement showing the educational qualifications of— **Educational qualifications of certain Deputy Superintendents of Police.**

(*a*) the European and Anglo-Indian Deputy Superintendents of Police; and

(*b*) the Indian Deputy Superintendents of Police?

Answer by the Hon'ble Mr. Kerr:—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. 3 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 7th April, 1919, showing the educational qualifications of certain Deputy Superintendents of Police.*

Europeans and Anglo-Indians (promoted Inspectors).

European High School standard	1
Entrance Examination	1
Army Certificate of Education (second, third and fourth class)	1
Not passed any examination	1

Indians.

(*i*) Cadre of directly appointed officers—

M. A.	1
B. A.	9
B. Sc.	1
F. A.	2
Entrance Examination	1

(*ii*) Cadre of promoted Inspectors—

M. A.	1
B. A.	1
F. A.	1
Entrance Examination	5
European High School standard	1
Not passed any examination	2

By the Hon'ble Babu Akhil Chandra Datta:—

4.

(*a*) Is it a fact that, according to the recommendations of the Police Commission, European inspectors or officers are not eligible for the posts of Deputy Superintendents of Police?

(*b*) If so, have these recommendations been adhered to?

(*c*) If not, when, under whose orders, and for what reasons were they disregarded?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) No.

(*b*) and (*c*) These questions do not arise."

By the Hon'ble Babu Akhil Chandra Datta:—

5.

Is it a fact that the posts of Deputy Superintendents of Police were created solely for the natives of India?

Answer by the Hon'ble Mr. Kerr:—

"No. Only direct appointments to deputy superintendentships are reserved for natives of India, but only those European inspectors who are shown to the satisfaction of the Government of India to have adopted an Indian domicile are eligible for promotion to deputy superintendentships."

By the Hon'ble Babu Akhil Chandra Datta:—

6.

(*a*) Is there any limit in the percentage of the number of appointments of European and Anglo-Indian Deputy Superintendents of Police?

(*b*) If so, what is the present percentage?

Percentage of the number of appointments of European and Anglo-Indian Deputy Superintendents of Police.

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Yes; the number of European inspectors who may be promoted to deputy superintendentships is proportionate to the recognised European strength in the grade of inspectors.

(*b*) As the cadre stands at present the maximum number of European or Anglo-Indian inspectors who may be promoted to the rank of deputy superintendent is seven."

By the Hon'ble Babu Akhil Chandra Datta:—

7.

(*a*) Will the Government be pleased to state how many European and Anglo-Indian inspectors of police have been appointed to officiate as Deputy Superintendents of Police?

(*b*) Is it a fact that while serving as sergeants and inspectors they state that their domicile is outside of India, but that when the question of their promotion to the rank of Deputy Superintendent arises, they change their domicile to India?

(*c*) Will the Government be pleased to state the domicile of all permanent and officiating European Deputy Superintendents of Police prior to their being appointed or promoted to be Deputy Superintendents of Police?

Domicile of European and Anglo-Indian officers of the Police.

Answer by the Hon'ble Mr. Kerr:—

"(*a*) At present three European or Anglo-Indian inspectors are officiating as deputy superintendents.

(*b*) No. No declaration is required as to the domicile of candidates for appointment to the rank of sergeant or inspector. This is only required when such officers are promoted to the rank of deputy superintendent.

(*c*) A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. 7 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 7th April, 1919, showing the domicile of all permanent and officiating European Deputy Superintendents of Police.*

	Name.	Place of domicile.
1.	Mr. A. J. M. Matthews ...	Born and domiciled in India.
2.	„ R. C. Durup de Dombal ...	Ditto ditto.
3.	„ W. Murray ...	Ditto ditto.
4.	„ J. Harlow ..	Born in England. Resident in India since 1887 and now domiciled in India.
5.	„ E. J. C. Mayne ...	Born and domiciled in India.
6.	„ E. Brown ...	Ditto ditto.
7.	„ A. H. Ray ...	Born in England. Resident in India since 1894 and now domiciled in India.

By the Hon'ble Babu Akhil Chandra Datta:—

8.

Gazetting of the appointments of officiating Deputy Superintendents of Police.

Are the officiating Deputy Superintendents of Police gazetted officers? If so, are their appointments, postings, transfers, etc.,made by Government and published in the *Calcutta Gazette*, like those of gazetted officers of other Departments and of permanent Deputy Superintendents of Police? If not, what are the reasons?

Answer by the Hon'ble Mr. Kerr:—

"Officiating deputy superintendents of police are gazetted officers. Their appointments, postings, and transfers are made by the Inspector-General of Police, to whom the power was delegated in 1911."

By the Hon'ble Babu Akhil Chandra Datta:—

9.

Special powers of the Inspector-General of Police to make appointments of officiating Deputy Superintendents.

(*a*) Is it a fact that the Inspector-General of Police has been vested with special powers to make the appointments of officiating Deputy Superintendents?

(*b*) If so, will the Government be pleased to state the reason for this innovation in the case of the Police Department, while in other services Government retain the power in their own hands regarding gazetted officers?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Yes.

(*b*) The Police Department is not the only department in which the powers of making such appointments has been delegated to the head of the department. In the Education Department the Director of Public Instruction has been empowered to make appointments to the two lowest grades of the Provincial Educational Service. Such delegations are made for greater convenience in the transaction of business."

By the Hon'ble Babu Akhil Chandra Datta:—

10.

Rule as to inspectors officiating as Deputy Superintendents of Police.

(*a*) Is there any definite rule regarding the selection of inspectors to officiate as Deputy Superintendents of Police?

(*b*) Is efficiency or seniority the test of selection?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Yes. A copy of the rules is laid on the table.

(*b*) The Hon'ble Member is referred to the rules."

Rules referred to in the answer by the Hon'ble MR. KERR *to question No. 10 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA, *at the Council Meeting of the 7th April, 1919, regarding the system of selection of Inspectors for promotion to the rank of Deputy Superintendent.*

The attention of Deputy Inspectors-General and Superintendents of Police is drawn to rule 18, Part I of the Police Regulations regarding the appointment of Deputy Superintendents. Clause (*h*) of the rule deals with the promotion of Inspectors to the rank of Deputy Superintendent, but it does not lay down definite instructions as to the manner of selection,

with the result that there is no uniformity of procedure. The Inspector-General has given the matter his careful consideration and, with the approval of Government, the following provisional rules are issued for the guidance of all officers concerned :—

(1) No Inspector shall be appointed to act as Deputy Superintendent unless all the local officers concerned (the Superintendent, District Magistrate and Deputy Inspector-General) are unanimous in their opinion that he has the necessary qualifications for the post of permanent Deputy Superintendent and is likely to prove a success as such. In submitting their nominations, the local officers and the Deputy Inspector-General must clearly understand that no officer should be nominated for promotion who does not possess a thoroughly clean record as regards honesty and who is not of marked ability. The name of an officer is not to be submitted solely on the ground of seniority, but what is required is seniority combined with merit and it is rather the latter than the former that should be the determining factor. If seniority is strictly observed it will not be possible to promote especially smart junior officers, and this will practically mean that the cadre of promoted Inspectors will consist of officers of only ordinary intelligence and capability. It is, therefore, essential that in selecting officers for this important post it should not be sufficient for a possible candidate to be able to point to a clean sheet. Most Inspectors can do this. Apart from the question of conduct an officer must possess qualifications and ability such as will enable him to perform the duties required of a superior officer of the rank of Deputy Superintendent. If regard is had only to good conduct as the sole qualification, the principle of selection ceases to exist.

(2) The Inspector-General will interview all the officers who are nominated, and if he is satisfied that they are suitable, their names will be entered in a provisional list and they will be appointed to act as vacancies occur.

(3) After an officer has acted for a year the local officers and the Deputy Inspector-General will be required to submit a full report on his work and conduct with a definite opinion whether his outturn of work is of the standard required of a Deputy Superintendent. If the report is favourable his name will be entered in an "approved list" and he will be allowed to continue for another year provided there is a vacancy for him. After an officer has acted for two years the local officers and the Deputy Inspector-General will be required to submit a further report regarding his work and if it is found that he has maintained his efficiency throughout, the fact that he is fit for permanent promotion shall be noted against his name in the "approved list" from which all sub. *pro tem* and permanent promotions shall ordinarily be made in order of seniority. Ordinarily a Superintendent or Deputy Inspector-General should be in position to report after a year on the fitness or otherwise of an Inspector to be placed on the "approved list" and it is only in very exceptional cases, which will have to be clearly explained, that a second year's trial will be permitted. If the Superintendent watches the work of an Officiating Deputy Superintendent as he should, there ought to be no difficulty in arriving at a conclusion at the end of a year. The Deputy Inspector-General should have a list of the officiating men in his charge with a column showing the date on which the year's trial will expire and he should make a point of examining their work within the year so as to be in a position to give a decided opinion. It should be understood that transfers of officers under trial should be avoided as far as possible. If an officer serves under two or three Superintendents in the course of a year, difficulties will arise and if his transfer is essential in the interests of the public service, the Superintendent under whom he is employed shall at once submit a report to the Deputy Inspector-General for the period he served under him.

(4) If after a year's work as an acting Deputy Superintendent an officer is found to be unfit or unsuitable, he will revert to his substantive rank and will ordinarily not be allowed to act again. If, however, his case is found to be doubtful and the local officers and the Deputy Inspector-General are unable to express a definite opinion regarding his fitness or otherwise for promotion to gazetted rank, he will be allowed to act for a further period, but in no case shall the name of an officer be ordinarily retained in the "approved list" for more than two years unless he can show within that period that he is fit for promotion.

(5) All acting Deputy Superintendents shall be required to pass the prescribed departmental examinations within two years unless exempted by Government from passing in any subject or unless they have already passed a corresponding examination in any of the subjects prescribed under the rules for the departmental examination of subordinate police officers.

(6) Clause (*j*) of the rule lays down that Deputy Superintendents shall be on probation for two years and that at the end of that period, if favourably reported on, if they have passed the prescribed departmental examinations, they will be confirmed. Under the existing system an Inspector who has already acted as Deputy Superintendent for two years or more is required to serve the full period of probation on being promoted to a permanent vacancy. This is unnecessary in the case of an officer who has already shown by his work and conduct that he is fit for permanent promotion. In future, if an officer has acted as Deputy Superintendent for two years and has passed the prescribed departmental examinations he will be promoted permanently if the vacancy is permanent. In the case of an officer who has not acted as Deputy Superintendent for full two years his period of probation shall count from the date on which he began to act as such.

2. The cases of all existing acting Deputy Superintendents will be regulated by the foregoing rules.

By the Hon'ble Babu Akhil Chandra Datta:—

11.

Principle of selection of permanent Deputy Superintendents of Police.

(*a*) What is the principle of selection of permanent Deputy Superintendents of Police from the ranks of officiating Deputy Superintendents of Police?

(*b*) When an officer is selected to officiate on the ground of efficiency, is the length of the officiating period taken into consideration for permanent promotion, or is age or seniority in the service held as the criterion for selection?

(*c*) What principle has of late been followed in making these selections?

(*d*) Do the Government recognise the principle that efficiency in their work as officiating Deputy Superintendents of Police should be the only test in making these appointments?

(*e*) Will the Government be pleased to publish the names of officiating Deputy Superintendents of Police, noting how long each has been officiating and in what vacancy each has been provided with the acting appointment?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) (*b*) (*c*) and (*d*) The Hon'ble Member is referred to the rules which have been laid on the table in reply to question No. 10 (unstarred).

(*e*) A list of the officers who were officiating as deputy superintendents on the 1st January, together with the date from which each has been acting, is laid on the table. It is not possible to state in what vacancy each officer has been provided with an acting appointment, as acting arrangements are made in leave vacancies in the cadre and also to fill deficiencies in the rank of assistant superintendents, and the chain of arrangements is constantly fluctuating."

List referred to in the answer by the Hon'ble MR. KERR *to question No. 11 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 7th April, 1919.*

No.	NAME.	Date of first appointment to the Bengal Police.	Length of actual service.	Total non-residence.	Total service.	Date of appointment to the present grade.	District and date of joining.	REMARKS.
	Officiating Deputy Superintendents of Police.							
			Y. M. D.		Y. M. D.			
1	Sarat Sasi Datta (B. 16-10-1863).	1-10-1888	34 0 14(*a*)	...	34 0 14	27-5-1914	Dinajpur, 6-8-1914.	
2	Edward John Charles Mayne (B. 17-7-1882). (Hind.)	18-10-1908	10 2 14	...	10 2 14	1-7-1914	Midnapur.	
3	Narendra Chandra Sen, B.L. (B. 1-7-1881). (Hind.) (*b*)	6-8-1905	13 6 26	...	13 6 26	26-9-1916	Kushtia, Nadia.	Priv. lv. for 3 months from 2-1-1919.
4	Edward Brown (B. 29-2-1876).	16-6-1896	22 6 16	...	22 6 16	25-8-1917	Dacca City, 25-8-1917.	Draws a conveyance allowance of Rs. 50 a month.
5	Saiyid Rasidun Nabi, B.A. (B. 1-7-1881).	6-6-1905	16 8 11	...	16 8 11	20-12-1916	Hooghly, 20-12-1916.	
6	Upendra Kumar Basu (B. 1-7-1871). (*b*)	6-3-1894	24 9 26	...	24 9 26	15-11-1916	Pabna, 5-1-1918.	
7	Nagendra Chandra Basu (B. 1-7-1869).	23-2-1891	27 10 9	...	27 10 9	16-7-1915	Intelligence Branch, Bengal, Calcutta, 7-7-1916.	Draws a duty allowance of Rs. 150 a month and house allowance of Rs. 50 a month.
	William Frederick Wainright (*B. 30-6-1881*).	*6-6-1903*	*15 6 26*	...	*15 6 26*	*28-10-1914*	...	*Permitted to undertake military duties in Europe during the duration of the war.*
8	Benode Behari Gupta (B. 1-7-1867).	6-8-1888	30 4 26	...	30 4 26	2-1-1917	Balurghat, Dinajpur, 20-8-1918.	
9	Bhabesh Charan Das (B. 1-8-1872).	18-5-1894	24 7 14	...	24 7 14	9-1-1916	Howrah, 8-9-1917.	Offg. Principal, Detective Training School. Draws a duty allowance of Rs. 75 a month. Priv. lv. for 15 days from 2-1-1919.
10	Chandra Kanta De (B. 1-7-1872).	7-10-1893	25 2 25	...	25 2 25	26-7-1915	Dacca, 28-11-1918.	Temporarily.
11	Umesh Chandra Chanda (B. 1-7-1872).	2-3-1894	24 10 0	...	24 10 0	26-10-1916	Dacca, 11-1-1918.	Pr. lv. for 3 mos. from 21-10-1918.
12	Chandi Charan Mukharji (B. 1-7-1876).	1-7-1897	21 0 0	...	21 0 0	18-8-1916	Sadar B Division, 24-Parganas, 11-12-1918.	Draws a house allowance of Rs. 50 a month.

(*a*) Including service prior to joining the Police.
(*b*) Passed in drill.

No.	NAME.	Date of first appointment to the Bengal Police.	Length of actual service.	Total non-residence.	Total service.	Date of appointment to the present grade.	District and date of joining.	REMARKS.
			Y. M. D.		Y. M. D.			
	Officiating Deputy Superintendents of Police.							
13	Sital Chandra Sen (B. 16-6-1870).(a)	10-9-1894	27 4 19	...	27 4 19	15-8-1915	Chittagong, 24-12-1917.	
14	Aswini Kumar Guha (B. 30-1-1877).	13-6-1900	18 6 19	...	18 6 19	23-7-1915	Dacca ...	King's Police Medal, 1911, and Royal Victorian Medal, 1911 Offg. S. P., Nadia, 18-8-1918.
15	Ambika Charan Chakrabatti (B. 18-10-1872).	17-4-1893	23 9 14	...	23 9 14	4-5-1915	Khulna, 4-5-1915.	
16	Hari Kumar Gupta, B.L. (B. 13-12-1883).	9-5-1908	10 9 23	...	10 9 23	26-7-1915	Murshidabad, 26-7-1915.	
17	Ashutosh Banarji (B. 1-7-1870).	1-12-1892	26 0 15	...	26 0 15	26-7-1915	Mymensingh 1-11-1917.	
18	Mir Abdus Sobhan (B. 1-7-1874) (a) (Accounts). (IInd.)	1-4-1896	21 6 0	...	21 6 0	11-7-1916	Tippera, 14-7-1916.	
19	Harendra Kishore Ghosh (B. 1-7-1872).	16-2-1895	23 10 16	...	23 10 16	1-7-1917	Jessore, 1-7-1917.	
20	Nishi Kanta Banarji (B. 1-7-1871).	10-9-1894	24 8 22	...	24 8 22	13-7-1916	Birbhum, 2-7-1918.	
21	Sarat Chandra Ghosh (B. 1-7-1878).	6-2-1897	20 10 25	...	20 10 25	4-8-1917	Burdwan, 4-8-1917.	
22	Aswini Kumar Banarji (B. 1-7-1873).	1-2-1896	22 11 0	...	22 11 0	6-9-1917	Malda, 27-9-1918.	
23	Priya Nath De, M.A., B.L. (B 1-7-1880).	4-1-1408	12 11 28	..	12 11 28	25-12-1917	Barasat-Basirhat, 16-9-1918. 24-Parganas, 25-12-1917.	
24	Jnanananda Chakrabatti (B. 1-7-1873).	1-2-1896	22 11 0	...	22 11 0	1-7-1916	C.I.D., Bengal, Calcutta, 1-7-1916.	Draws a deputation (duty) allowance at $\frac{1}{8}$th of salary.
25	Sarat Chandra Acharji (B. 1-7-1874).	1-2-1896	22 11 0	...	22 11 0	1-9-1917	Nadia, 1-9-1917.	
26	Yakub Ali Khan (B. 1-7-1889) (Accounts) (B. in L. & H.).	4-1-1913	6 11 28	...	6 11 28	17-12-1917	Serampur, Hooghly, 18-2-1918.	
27	Heramba Chandra Bagchi (B. 1-7-1876).	10-2-1898	20 10 22	..	20 10 22	6-9-1917	Kishoreganj, Mymensingh, 1-12-1918.	
28	*Uma Prasad Ganguli (B. 1-7-1873).*	*6-2-1897*	*21 10 26*	...	*21 10 26*	*28-9-1917*	...	*On combined leave for 6 months from 1-12-1918.*

(a) Passed in full.

No.	Name.	Date of first appointment to the Bengal Police.	Length of actual service.	Total non-residence.	Total service.	Date of appointment to the present grade.	District and date of joining.	Remarks.
	Officiating Deputy Superintendents of Police.							
			Y. M. D.		Y. M. D.			
29	Braja Bihari Barman (B. 1-7-1873).	6-2-1897	21 10 26	...	21 10 26	19-9-1917	Bankura, 19-9-1917.	
30	Manmatha Nath Mukharji, B.A. (B. 1-7-1880).	1-5-1905	13 8 1	...	13 8 1	11-9-1917	Kharagpur, Midnapur, 30-8-1917.	
31	Surendra Nath Banarji (B. 1-7-1872).	1-11-1894	24 2 0	...	24 2 0	5-9-1916	Intelligence Branch, Bengal, Calcutta, 6-1-1915.	Draws a duty allowance of Rs. 150 a month and house allowance of Rs. 50 a month.
32	Jadab Chandra Chakrabatti (B. 1-7-1877).	1-11-1898	20 2 0	...	20 2 0	11-1-1917	Bagerhat, Khulna, 11-1-1917.	
	Satish Chandra Banarji (B. 1-7-1886).	*29-1-1906*	*12 11 3*	...	*12 11 3*	*11-4-1917*	...	*King's Police Medal, 1917. On deputation under D. C. I., Simla.*
33	Anath Bandhu Chakrabatti (B 1-7-1879).	1-9-1901	17 4 0	...	17 4 0	16-9-1917	Rajshahi, 10-9-1917.	
34	Rai Sahib Satish Chandra Mazumdar (B. 1-7-1882) (Accounts). (Law with books by H.S.)	1-5-1905	13 8 1	...	13 8 1	26-9-1916	Intelligence Branch, Bengal, Calcutta, 1-2-1914.	Draws a duty allowance of Rs. 150 a month and house allowance of Rs. 50 a month. King's Police Medal, 1917.
35	Anadi Nath Ghosh (B. 1-7-1872) (Accounts).	16-4-1893	25 8 16	...	25 8 16	29-8-1917	Tangail, Mymensingh, 17-10-1917.	
36	Manindra Nath Banarji, B.A. (B. 1-7-1882) (Accounts). (Law by L. and H S.).	18-7-1903	15 5 14	...	15 5 14	6-4-1918	C. I. D., Bengal, Calcutta, 26-6-1916.	Draws a depn. (duty) allce. at ¼th of salary.
37	Bepin Behari Mukharji (B. 1-7-1871).	1-2-1896	22 11 0	...	22 11 0	11-8-1918	Sadar A and Diamond Harbour, 24-Parganas, 11-8-1918.	Draws a house allowance of Rs. 50 a month.
38	Bhupendra Nath Chattarji (B. 1-7-1878).	26-7-1900	18 5 6	...	18 5 6	17-1-1917	Intelligence Branch, Bengal, Calcutta, 6-10-1913.	Draws a duty allowance of Rs. 150 a month and house allowance of Rs. 50 a month. King's Police Medal, 1917.
39	Radha Gobinda Kundu, B.A. (B. 16-12-1870). (Accounts and Law by H. S.).	8-5-1894	24 7 24	...	24 7 24	10-5-1918	Manikganj, Dacca, 26-11-1918.	Temporarily.
40	Parbati Raman Sen (B. 1-7-1874).	1-10-1895	23 3 1	...	23 3 1	13-8-1918	Bogra, 23-12-1918.	
41	Nagendra Nath Sen Gupta, B.A. (B. 1-7-1882).	1-5-1905	13 8 1	...	13 8 1	6-7-1917	Narayanganj, Dacca, 13-8-1918.	
42	Albert Henry Ray (B. 29-5-1874)(Accounts).	9-8-1906	12 4 23	...	12 4 23	1-1-1918	C. T. S., Sardah, 1-1-1918.	
43	Khirod Prasad Datta (B. 1-7-1872).	2-6-1893	26 7 0	...	26 7 0	15-8-1918	Kushtia, Nadia, 15-8-1918.	Draws a duty allce. of Rs. 50 a month.

By the Hon'ble Babu Akhil Chandra Datta:—

Vacancies in the rank of Assistant Superintendents of Police.

12.

What is the total number of vacancies in the rank of Assistant Superintendents of Police, and how long have those vacancies been in existence and filled by officiating Deputy Superintendents ?

Answer by the Hon'ble Mr. Kerr:—

" There are at present 40 vacancies in the rank of assistant superintendents. They are due to the cessation of recruitment for the Indian Police during the war, and have not been filled up by the promotion of deputy superintendents or otherwise."

By the Hon'ble Babu Akhil Chandra Datta:—

Vacancies in the rank of Deputy Superintendents of Police.

13.

(*a*) What is likely to be the average number of vacancies in the rank of Deputy Superintendents of Police for the next three years?

(*b*) Is any list kept of the officiating Deputy Superintendents of Police who have been considered fit for permanent promotion?

(*c*) If so, will the Government be pleased to lay the list on the table showing against each when he was considered fit for confirmation and how long he has been waiting, and stating whether the names in the list are placed according to the priority of selection and length of officiating period, or only according to seniority of service?

(*d*) Are the Government considering the advisability of framing some rules which will secure the best men for this service? If such rules exist, will the Government be pleased to lay them on the table and explain the principle underlying those rules?

(*e*) How many officiating Deputy Superintendents of Police held charge of subdivisions during the last three years, and for what periods in each case?

(*f*) Has any of them been found fit to hold charge of a district or training-school as officiating Superintendent of Police or Principal of the training-school, respectively?

(*g*) If so, will the Government be pleased to state the number of such officers, showing how long each has acted or has been acting in any of the above vacancies?

(*h*) Will the Government be pleased to state how and when Government propose to appoint permanently those officiating Deputy Superintendents of Police who are considered fit for permanent promotions?

(*i*) Do the Government contemplate allotting some of the posts of Assistant Superintendents of Police for the absorption of the officiating Deputy Superintendents of Police, or proportionately increasing the *cadre* of Deputy Superintendents of Police?

(*j*) Do the Government contemplate the granting of any extension, or have the Government granted any extension of service, to any of the Deputy Superintendents of Police who have completed the age of 55 years?

Answer by the Hon'ble Mr. Kerr:—

" (*a*) Six.

(*b*) Yes.

(*c*) Government are not prepared to publish information of this nature regarding individual officers.

(*d*) The rules have been laid on the table in answer to question No. 10.

(*e*) A statement is laid on the table.

(*f*) Yes.

(*g*) Two statements are laid on the table.

(*h*) When permanent vacancies occur.

(*i*) It is not proposed to adopt the first suggestion. The cadre of Deputy Superintendents will be increased if necessary to meet the exigencies of the service, when funds are available.

(*j*) One deputy superintendent of police is at present on extension of service which will expire on the 1st July. No proposals for the grant of extensions to other officers are at present under the consideration of Government."

Statement referred to in clause (e) of the answer by the Hon'ble MR. KERR *to question No. 13 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 7th April, 1919.*

List of Officiating Deputy Superintendents who have held charge of Subdivisions during the last three years (1916-1918).

	Name.	Period during which he held charge. From—	To—
1.	Mr. E. J. C. Mayne ...	1st July 1914	... 2nd July 1916.
		9th September 1916	... 19th August 1918.
		29th August 1918	... 31st December 1918.
2.	Babu Kedareswar Chakrabatti ...	25th July 1915	... 8th July 1916.
3.	Mr. F. J. R. Moss ...	6th December 1916	... 28th August 1917.
4.	Babu Nagendra Chandra Basu ...	20th October 1915	... 30th June 1916.
5.	„ Sris Chandra Kanjilal ...	28th April 1915	... 2nd January 1916.
6.	Rai Sahib Jogesh Chandra Bhaumik.	13th October 1914	... 11th June 1916.
7.	Babu Chandra Kanta De ...	26th July 1915	... 23rd November 1918.
8.	„ Narendra Chandra Bhattacharji.	7th March 1915	... 1st April 1916.
9.	„ Narendra Kumar Mullik ...	1st July 1916	... 23rd December 1916.
10.	„ Bhabesh Charan Das ...	13th „ „	... 2nd August 1917.
11.	„ Aswini Kumar Guha ...	12th June 1916	... 14th „ 1918.
12.	„ Upendra Kumar Basu ...	15th November 1916	... 5th December 1916.
13.	„ Chandi Charan Mukharji ...	18th August 1916	... 16th October 1917.
14.	„ Ashutosh Banarji ...	6th September 1916	... 25th August 1917.
15.	„ Sarat Chandra Ghosh ...	17th August 1916	... 28th September 1917.
16.	„ Aswini Kumar Banarji ...	15th November 1916	... 3rd July 1917.
		7th September 1917	... 20th September 1918.
17.	„ Jadab Chandra Chakrabatti	11th January 1917	... 31st December 1918.
18.	„ Radha Gobinda Kundu ...	1st April 1917	... 19th June 1917.
19.	„ Kshetra Nath Basu ...	23rd May 1917	... 2nd July 1917.
		4th July 1917	... 1st August 1918.
20.	„ Narendra Chandra Sen ...	9th July 1917	... 23rd December 1918.
21.	„ Manmatha Nath Mukharji	30th August 1917	... 31st December 1918.
22.	„ Uma Prasad Ganguli ...	28th September 1917	... 1st December 1918.
23.	„ Anadi Nath Ghosh ...	17th October 1917	... 31st December 1918.
24.	„ Ananda Mohan Guha ...	26th August 1917	... 1st July 1918.
25.	Maulvi Yakub Ali Khan ...	26th February 1917	... 31st December 1918.
26.	Babu Binode Bihari Gupta ...	20th August 1918	... 31st December 1918.
27.	„ Bepin Bihari Mukharji ...	11th August 1918	... 31st December 1918
28.	„ Priya Nath De ...	16th September 1918	... 31st December 1918.
29.	„ Heramba Chandra Bagchi ...	1st December 1918	... 31st December 1918.
30.	„ Nagesh Chandra Mukharji...	28th October 1918	... 31st December 1918.
31.	„ Nagendra Nath Sen Gupta...	13th August 1918	... 31st December 1918.
32.	„ Kshirode Prasad Datta ...	15th August 1918	... 31st December 1918.

Statement referred to in clause (g) of the answer by the Hon'ble MR. KERR *to question No. 13 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 7th April, 1919.*

List of Officiating Deputy Superintendents who have held charge of Districts during the last three years (1916—1918) as a result of local arrangements.

	Name.	From—	To—
1.	Babu Braja Bihari Barman ...	7th February 1918 ...	29th March 1918.
2.	„ Adhar Chandra Basu ...	21st March 1916 ...	5th April 1916.
		2nd January 1917 ...	21st January 1917.
		4th October 1917 ...	18th October 1917.
		21st October 1918 ...	4th November 1918.
3.	„ Sital Chandra Sen ...	21st October 1918 ...	20th November 1917.
4.	„ Sarat Sasi Datta ...	5th October 1917 ...	18th October 1917.
		30th August 1918 ...	8th October 1917.
		24th November 1918 ...	23rd December 1918.
5.	„ Binode Bihari Gupta ...	3rd September 1917 ...	2nd October 1917.
6.	Maulvi Rasidun Nabi ...	2nd September 1917 ...	8th September 1917.
		15th September 1918 ...	8th October 1918.
7.	Babu Kshetra Mohan Ganguli ...	28th August 1916 ...	3rd September 1916.
8.	„ Upendra Kumar Basu ...	7th September 1917 ...	18th October 1917.
9.	„ Ambika Charan Chakrabatti.	27th October 1916 ...	31st October 1916.
		10th July 1917 ...	27th July 1917.
		2nd October 1917 ...	18th October 1917.
		1st November 1917 ...	15th November 1917.
		20th June 1918 ...	19th October 1918.
10.	„ Hari Kumar Gupta ...	22nd December 1915 ...	6th January 1916.
		2nd January 1917 ...	20th January 1917.
11.	„ Aswini Kumar Guha ...	18th August 1918 ...	31st December 1918.
12.	„ Kshetra Nath Basu ...	3rd January 1916 ...	17th January 1916.
13.	„ Umesh Chandra Chanda	26th October 1916 ...	29th October 1916.

Statement referred to in clause (g) of the answer by the Hon'ble MR. KERR *to question No. 13 (Unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 7th April, 1919.*

List of Officiating Deputy Superintendents who have held charge of training-schools during the last three years (1916—1918).

	Name.	From—	To—
1.	Mr. J. H. Harlow ...	16th December 1908	1st July 1917.
2.	Mr. F. J. R. Moss ...	23rd September 1914	25th November 1916.
3.	Mr. J. Cowie	26th November 1916	27th August 1917.
4.	Babu Umesh Chandra Chandra	28th August 1917	31st December 1917.
5.	Babu Bhabesh Charan Das ...	8th September 1917	31st December 1918.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

14. Will the Government be pleased to state— Religious endowment committees.

(*a*) the number of religious endowment committees which have been established under the provisions of Act XX of 1863, showing the present constitution of each, together with the date of their first institution;

(*b*) what inquiries, if any, have been made during the last five years into the management of these committees, and with what result; and

(*c*) what are the functions discharged, and the average funds annually administered, by each of these committees?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*), (*b*) and (*c*) A statement containing the particulars wanted is laid on the table."

ent referred to in the answer by the Hon'ble MR. MCALPIN *to question No. 14 nstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the uncil Meeting of the 7th April, 1919. containing particulars about Religious dowment Committees.*

Religious Committees under the of Act XX 863.	Date of first institution.	Present constitution of each Committee.	Enquiries, if any, made during the last five years into the management of the Committees and with what result.	Functions discharged by the Committees.	Average funds annually administered by the Committees.	REMARKS
1	2	3	4	5	6	7
for the ment of Murad- mosque,	14th March 1864.	Nil	Nil	Nil	Rs. Nil	The Committee appointed in the year 1864 lapsed in the year 1889 on account of the failure of the people interested to comply with the provisions of Section 10 of Act XX of 1863.
for the ment of *Hooghly* ra.	July 1875	1. Khan Bahadur Mirza Sinjaryiat Ali, President. 2. Prince Golam Muhammad of Tollyganj. 3. Syed Muhammad Kasim. 4. Prince Mirza Muhammad Makim of Garden Reach. 5. Syed Eusof Ali.	No enquiry made.	The Committee supervises and controls the Imambara at Hooghly.	36,336	...
Endow- Com- *Murshi-*	9th June 1864.	Nil	Nil	Nil	Nil	The five members appointed by Government to form the Committee are dead.
lan En- t Com for su- ding the on of harrum at the Dalan	10th March 1864.	Nil	Nil	Nil	Nil	The Committee lapsed on the death of the members appointed by Government.

Number of Religious Endowment Committees established under the provisions of Act XX of 1863.	Date of first institution.	Present constitution of each Committee.	Enquiries, if any, made during the last five years into the management of the Committees, and with what result.	Functions discharged by the Committees.	Average funds annually administered by the Committees.	REM
1	2	3	4	5	6	
					Rs.	
Hindu Endowment Committee, *Chittagong*.	28th May 1878.	1. Rai Prasanna Kumar Rai Bahadur, Zamindar. 2. Rai Satish Chandra Sen Bahadur, Senior Government Pleader. 3. Rai Upendra Lal Rai Bahadur, Zamindar, Merchant, etc. 4. Babu Iswar Chandra Nandi, Retired Deputy Magistrate. 5. Babu Khirode Chandra Das, Pleader and Zamindar. 6. Babu Romesh Chandra Sen, Pleader. 7. Babu Romesh Chandra Chaudhuri, Zamindar and Mukhtear. 8. Babu Hem Chandra Das, Zamindar. 9. Babu Bhairab Chandra De, Mukhtear. 10. Babu Romesh Chandra Das, Retired Deputy Magistrate. 11. Babu Kali Sankar Chakravarti, Secretary. 12. ..... 13.	No enquiry made.	Do not exercise any functions.	Nil	Vacancie by th of Ba Mohan and Bi Chandr will b filled u
Muhammadan Endowment Committee, *Chittagong*.	Ditto ...	1. Khan Saheb M. Amanali. 2. Maulvi Emadali. 3. ,, Md. Kazimali. 4. ,, Reazaddin Ahmed, B.L. 5. Maulvi Bazlar Rahaman. 6. Maulvi Meramatali Chaudhuri. 7. S. N. M. Kamaladdin Ahmed. 8. Maulvi Abdus Sattar.	Ditto ...	The functions of the Committee are limited to the occasional appointment of a Matwali.	Nil.	

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

15.

Desecration of an image of *Saraswati*.

(*a*) Are the Government aware that there is a wide and acute feeling of resentment amongst Hindus owing to the action of the Principal of St. Paul's College, Calcutta, in desecrating an image of the Hindu goddess—the *Saraswati*? If so, are the Government considering the desirability of instituting an inquiry into the circumstances of the case?

(*b*) Are the Government considering the desirability of taking steps to insure that the religious scruples and beliefs of the students are not interfered with or disregarded in the educational institutions under missionary organisations?

(c) Will the Government be pleased to furnish a list of the educational institutions and hostels attached thereto, which are under the control and management of religious bodies and missionary organisations receiving Government grants, noting in each case the amount of such grant?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) The reply to the first part of the question is in the affirmative. Government do not consider it necessary to make a further enquiry into the matter as it has already formed the subject of judicial proceedings.

(*b*) The incident at St. Paul's College was exceptional and Government do not consider it necessary to take any steps of the nature suggested in anticipation of attempts to disregard religious feelings and beliefs.

(*c*) A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 15 (Unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 7th April, 1919.*

List of aided colleges and hostels attached thereto under the control and management of religious bodies and missionary organisations.

Serial No.	NAME OF INSTITUTION.	Amount of grant per month.	REMARKS.
		Rs. A. P.	
1	Scottish Churches College, Calcutta	2,000 0 0	
	(1) Dundas Hostel ...		
	(2) Wann „		
	(3) Tomory „	200 0 0	
	(4) Ogilvie „		
	(5) Duff „		
2	Wesleyan College, Bankura ...	700 0 0	
	Hostel	82 8 0	For supervision.
3	Serampore College	1,000 0 0	
	(1) Main Hostel	40 0 0	For supervision.
	(2) Panthi „	40 0 0	Ditto.
		+80 0 0	For rent.
	(3) Circular Road Hostel ...	30 0 0	For supervision.
4	St. Paul's Cathedral College, Calcutta.	916 10 8	
	(1) Janiali Hostel		
	(2) St. Davis „	300 0 0	
	(3) Annexé „		
5	St. Xavier's College, Calcutta ...	1,050 0 0	
	Hostel	15 0 0	For supervision.
6	Diocesan College, Calcutta ...	600 0 0	
	(1) Hostel	60 0 0	For supervision.
	(2) Additional hostel ...	135 0 0	For rent.
7	Diocesan Training College, Calcutta	600 0 0	

List of schools and hostels attached thereto under the control and management of missionary organisations receiving Government grants.

BOYS' SCHOOLS.

Serial No.	NAME OF SCHOOL.	Amount of grant per month.			REMARKS.
	Calcutta.	Rs.	A.	P.	
1	Garden Reach C. M. S. H. E. School	240	0	0	
2	Collin's Institution	75	0	0	
3	Bishop's Collegiate School ...	300	0	0	
4	Ditto Hostel ...	45	0	0	
5	St. Paul's H. E. School ...	100	0	0	
6	Ditto Hostel ...	60	0	0	
7	Allan Vernacular School ...	15	0	0	
8	Y. M. C. A.	50	0	0	
9	Ditto Hostel	25	0	0	
10	St. Anthony's School	40	0	0	
	24-Parganas.				
11	Budge-Budge Abbey M. E. School	40	0	0	
12	Badúria L. M. S. M. E. School ...	49	0	0	
13	Kaorapukur L. M. S. M. E. School	60	0	0	
14	Bistupore M. E. School Hostel ...	10	0	0	
15	Raghabpore St. Paul's M. V. School	50	0	0	
16	Ditto Hostel	10	0	0	
17	Jhanjra M. V. School ...	15	0	0	
18	Baranagore Orphan Boys' Industrial School.	60	0	0	
19	Kaorapukur L. M. S. Industrial School.	40	0	0	
20	Kaorapukur Night School ...	18	0	0	
	Murshidabad.				
21	Khagra L. M. S. H. E. School ...	175	0	0	
22	Ditto Hostel	26	4	0	
	Nadia.				
23	Krishnagar C. M. S. H. E. School	180	0	0	
24	Hatchapra C. M. S. M. E. School	100	0	0	
25	Krishnagar C. M. S. Training School.	200	0	0	
26	Ditto ditto hostel ...	26	0	0	
27	Hatchapra C. M. S. Industrial School.	100	0	0	
	Khulna.				
28	Khulna Mission M. E. School ...	50	0	0	
29	Ballavpur C. M. S. Primary School Hostel.	39	0	0	
	Burdwan.				
30	Raniganj Mission Industrial School	40	0	0	
31	Kalna Mission M. E. School ...	40	0	0	

Serial No.	NAME OF SCHOOL.	Amount of grant per month.			REMARKS.
	Bankura.	Rs.	A.	P.	
32	Kuchkuchia Mission H. E. School	106	0	0	
33	Ditto ditto Hostel	26	0	0	
34	Bishenpur Mission M. E. School ...	30	0	0	
35	Sarenga Sonthal Training School	193	0	0	
36	Bankura M. V. and Technical School.	50	0	0	
37	Bankura Mission Industrial School	30	0	0	
	Midnapore.				
38	Midnapore Sepoybazar Mission M. E. School.	50	0	0	
39	Bhimpur Sonthal M. V. School ...	300	0	0	
	Hooghly.				
40	Chinsura U. F. C. Mission H. E. School.	118	0	0	
41	Serampore Mission Collegiate School.	300	0	0	
42	Bandel M. E. School	35	0	0	
43	Sonatigri Mission M. E. School ...	15	0	0	
44	Mohanad Mission M. E. School ...	40	0	0	
	Dacca.				
45	Holy Cross Bandhura Gobindpur H. E. School.	180	0	0	
	Faridpur.				
46	Mathura Nath Institution, Gopalganj.	110	0	0	
47	Ditto ditto Hostels	37	0	0	
48	Orakandi H. E. School ...	175	0	0	
49	Ditto ditto Hostels ...	26	0	0	
50	Faridpur Industrial School ...	150	0	0	
	Bakarganj.				
51	Baptist Mission M. E. School, Barisal.	100	0	0	
	Darjeeling.				
52	Kalimpong Industrial School ...	500	0	0	
53	Kalimpong Mission Training School.	70	0	0	
54	Avangrove L. P. School ...	12	0	0	
55	St. Alphonsus U. P. School ...	45	0	0	
56	Kalimpong M. E. School ...	125	0	0	
57	Turnbull M. E. School ...	100	0	0	
58	Scandinavian Alliance M. E. School.	60	0	0	
	Rangpur.				
59	Saidpur Mission School ...	15	0	0	

Serial No.	NAME OF SCHOOL.	Amount of grant per month.	REMARKS.
	Tippera.	Rs. A. P.	
60	Kandirpar Mission L. P., Comilla...	9 0 0	
61	Muradpur ditto ditto ...	5 0 0	
	Chittagong Hill Tracts.		
62	Chandraghona Guru-Training ...	30 0 0	
63	Mission Boys' U. P	16 0 0	
64	Barudgola	5 0 0	
65	Chengir Mukh	22 0 0	

GIRLS' SCHOOLS.

	Calcutta.	Rs. A. P.	
1	Central Girls' School	40 0 0	Church of Engla Zenana Mission.
2	Amherst Street	26 0 0	Ditto.
3	Darjeepara	30 0 0	Ditto.
4	Chorebagan	20 0 0	Ditto.
5	Kansaripara	26 0 0	Ditto.
6	Sealdah	20 0 0	Ditto.
7	Patwarbagan	10 0 0	Ditto.
8	Mulvany Home	45 0 0	Ditto.
9	Christ Church High School ...	450 0 0	Ditto.
10	Colootola	25 0 0	Ditto.
11	Diocesan Collegiate School ...	600 0 0	Diocesan Mission.
12	Ballyganj Boarding	170 0 0	Ditto.
13	Milman Memorial	57 8 0	Ditto.
14	Ballyganj Primary	18 0 0	Ditto.
15	Duff School	250 0 0	United Fr
16	Rambagan	30 0 0	Church Missic
17	Shambazar	48 0 0	A grant
18	Hatibagan	27 0 0	Rs. 37-8 per me
19	U. F. C. Training	184 0 0	sem is given f
20	U. F. C. High	450 0 0	the maintenan of a conveyan for Calcut schools.
21	Kanai Lal Dhur's Lane ...	25 0 0	Baptist Mission.
22	Malanga Lane	21 0 0	Ditto.
23	Beniapukur Lane	25 0 0	Ditto.
24	Beliaghata	21 0 0	Ditto.
25	Serpentine Lane	21 0 0	Ditto.
26	Akkur Dutt's Lane	25 0 0	Ditto
27	Hidaram Banerjee's Lane ...	21 0 0	Ditto.
28	Chatterjee Lane	21 0 0	Ditto.
29	Baptist Mission High ...	350 0 0	Ditto.
30	B. Z. M. Elementary Training Class	25 0 0	Ditto
31	Taltola	11 11 0	Wesleyan Mission
32	Karaya	15 0 0	Ditto.
33	Baghbazar	16 11 0	Ditto.
34	Kaurapara	20 0 0	Ditto.
35	Baghbazar	30 0 0	Church of Scotlar Mission.
36	Sovabazar	35 0 0	Ditto.
37	Nimtalla	20 0 0	Ditto.
38	Badurbagan	40 0 0	Ditto.
39	Kidderpur	25 0 0	Ditto.
40	Kansaripara	36 8 0	London Mission.
41	Kalighat	24 8 0	Ditto.

Serial No.	NAME OF SCHOOL.	Amount of grant per month.			REMARKS.
	Calcutta—concld.	Rs.	A.	P.	
42	Creek Row	27	0	0	London Mission.
43	Ballyganj	17	0	0	Ditto.
44	United Missionary High School ...	700	0	0	Ditto.
45	Ditto Training College	600	0	0	Ditto.
46	Lee Memorial Boarding ...	230	0	0	M. E. Mission.
47	Ditto Training ...	290	8	0	Ditto.
48	Hatibagan ...	20	0	0	Ditto.
49	Janbazar	13	0	0	Ditto.
50	Miss Hart's Girls' School ...	31	0	0	S. P. G. Mission.
51	St. Barnabas'	12	0	0	Dent Mission.
52	Chetla Meyerpur	12	0	0	Ditto.
53	St. Teresa's	90	0	0	Roman Catholic Mission.
54	St. Mary's Bengali	225	0	0	Ditto.
55	St. Mary's Training Class ...	80	0	0	Ditto
	24-Parganas.				
56	Converts' Home, Baranagore ...	53	0	0	Church of England Zenana Mission.
57	Bhatpara	24	0	0	Ditto.
58	Baranagore Garden School ...	41	0	0	Ditto.
59	Naihati	35	0	0	Ditto
60	Kutighatta	20	0	0	Ditto.
61	Matiabruz	17	0	0	Ditto.
62	Bowbazar (Barrackpore) ...	16	0	0	Ditto.
63	Shamnagar	12	0	0	Ditto.
64	Belgharia	9	0	0	Ditto.
65	Ariadah	15	0	0	Ditto.
66	Cossipur	12	0	0	Ditto.
67	Kamarhatty	14	0	0	Ditto.
68	Khardah	15	0	0	Ditto.
69	Sukchar	18	0	0	Ditto.
70	Bon Hooghly	13	0	0	Ditto.
71	Gantipara	11	0	0	Ditto.
72	Rajarhat, Bishnupur	8	0	0	Ditto.
73	Madhamgram	8	0	0	Ditto.
74	Agarpara Orphanage	25	0	0	Ditto.
75	Kristopur	5	0	0	Ditto.
76	Widows' Industrial School, Baranagore.	100	0	0	Ditto.
77	Dhanghata	20	0	0	Diocesan Mission.
78	Madhabpur	20	0	0	Ditto.
79	Jalasai	15	0	0	Ditto.
80	Debipur	15	0	0	Ditto.
81	Jhanjara	15	8	0	Ditto.
82	Dhobagachi	10	0	0	Ditto.
83	Karimpur	12	0	0	Ditto.
84	Langalbaria	9	0	0	Ditto.
85	Magrahat	11	0	0	Ditto.
86	Panakurda	14	0	0	Ditto.
87	Udaipur	10	0	0	Ditto.
88	Amgachi	11	0	0	Ditto.
89	Kalmikhali	14	0	0	Ditto.
90	Ramnagar and Kalinagar ...	14	8	0	Ditto.
91	Banspolla	10	0	0	Ditto.
92	Raghabpur	7	0	0	Ditto.
93	Andharmanik	9	0	0	Ditto.

Serial No.	NAME OF SCHOOL.	Amount of grant per month.	REMARKS.
		Rs. A. P.	
	24-Parganas—concld.		
94	Hogulkuria	5 0 0	Diocesan Mission.
95	Lakshmikantapur	9 0 0	Ditto.
96	Boidyapur	9 8 0	Ditto.
97	Mallikpur	10 0 0	Ditto.
98	Salkia	10 0 0	Ditto.
99	Khari Mohamai	7 0 0	Ditto.
100	Koikhali	13 0 0	Ditto.
101	Rasal Mohammed Chak ...	13 0 0	Ditto.
102	Utterbagnor	10 8 0	Ditto.
103	Dakshin Bagnor	11 0 0	Ditto.
104	Kamardanga	16 4 0	Wesleyan Mission
105	Sadar Bazar (Barrackpore) ...	20 13 0	Ditto.
106	Ishapur	10 0 0	Ditto.
107	Chandanpukur	10 0 0	Ditto.
108	South Nawabganj	7 1 0	Ditto.
109	Nawabganj	20 13 0	Ditto.
110	Wesleyan Mission Boarding (Barrackpore).	300 0 0	Ditto.
111	Cossipur	143 0 0	Church of Scotlan Mission.
112	Matiabruz (Mudiali)	21 0 0	Ditto.
113	Kaurapukur	91 0 0	London Mission.
114	Narikeldanga	20 0 0	M. E. Mission.
115	Rajpur	12 0 0	Ditto.
116	Beliaghata	12 0 0	Ditto.
117	Sonarpur	10 0 0	Ditto.
118	Champahati	10 0 0	Ditto.
119	Kamardanga	13 0 0	Ditto.
120	Bagmari	20 0 0	Ditto.
121	Baikuntapur	14 0 0	Ditto.
	Murshidabad.		
122	Berhampore	35 0 0	London Mission
123	Khagra	25 0 0	Ditto.
124	Gorabazar	25 0 0	Ditto.
125	Berhampore Sewing Class ...	60 0 0	Ditto.
	Nadia.		
126	C. E. Z. Normal School, Krishnagar	*285 0 0	* Including a capit tion grant Rs. 110 per mont for the host attached to it. Church of Englan Zenana Mission.
127	Queen's School, Krishnagar ...	75 0 0	Ditto.
128	Day School, Krishnagar ...	30 0 0	
129	Santirajpur	30 0 0	
130	Chandsarak and Chakrapara ...	25 0 0	
131	Kathuriapara	15 0 0	Church of Englan Zenana Mission.
132	Navadwipa	15 0 0	Ditto.
133	Panighata	10 0 0	Ditto.

Serial No.	NAME OF SCHOOL.	Amount of grant per month.	REMARKS.
		Rs. A. P.	
	Jessore.		
134	B. Z. M. Industrial School ...	50 0 0	Baptist Mission.
135	B. Z. M. Jhenidah	14 0 0	Ditto.
	Burdwan.		
136	Naskardighi	30 0 0	Church of England Zenana Mission.
137	Barabazar	20 0 0	Ditto.
138	Kalna	27 0 0	United Free Church Mission.
139	Raniganj	20 0 0	Wesleyan Mission.
140	Jamuria	10 0 0	Ditto.
141	Baliavpur	10 0 0	Ditto.
142	Roseville, Raniganj	40 0 0	Ditto.
143	New Egra	15 0 0	Ditto.
144	Asansol M. V. Girls' School ...	75 0 0	M. E. Mission.
145	Asansol L. P.	25 0 0	Ditto.
	Bankura.		
146	Bankura Industrial School ...	70 0 0	Wesleyan Mission
147	Bankura Boarding	50 0 0	Ditto.
148	Pathpur	10 0 0	Ditto.
149	Rampur	17 0 0	Ditto.
150	Lalbazar	15 0 0	Ditto.
151	Bishnupur Missionbari ...	15 0 0	Ditto.
152	Sarenga Sonthal	33 0 0 +30 0 0*	*Capitation grant of Rs. 30 per mensem for the hostel attached to it.
	Midnapore.		
153	Geonkhali	13 0 0	Diocesan Mission.
154	Tamluk Mission	20 0 0	M. E. Mission.
155	Koikota	30 0 0	American Baptist Mission.
156	Koikota Lace School	10 0 0	Ditto.
157	Barabazar	10 0 0	Ditto.
158	Bhimpur Sonthal Mission Boarding.	60 0 0	Ditto.
159	Bhimpur Sonthal Mission Lace School.	30 0 0	Ditto.
	Hooghly.		
160	Bitasia	7 8 0	United Free Church Mission.
161	Baloon	7 0 0	Ditto.
162	Mohanad Korapara	7 0 0	Ditto.
163	Ramnathpur	7 8 0	Ditto.
164	Basberia	14 0 0	Ditto.
165	Khaya	7 0 0	Ditto.
166	Sahaganj	25 0 0	Ditto.
167	Kamarpara	60 0 0	Ditto.
168	Sonatigri	8 0 0	Ditto.
169	Pawnon	7 8 0	Ditto.
170	Sarengpur	7 8 0	Ditto.

Serial No.	NAME OF SCHOOL.	Amount of grant per month.	REMARKS.
		Rs. A. P.	
	Hooghly—concld.		
171	Serampore High Street ...	15 0 0	Baptist Mission.
172	Serampore Day Street	15 0 0	Ditto.
173	Chatra	15 0 0	Ditto.
174	Mohesh Bosepara	15 0 0	Ditto.
175	Hooghly Bally	30 0 0	M E. Mission.
176	Hooghly Suripara	16 0 0	Ditto.
177	Gutiabazar	37 0 0	Ditto.
178	Chinsurah	31 0 0	Ditto.
	Howrah.		
179	Dhobapara	40 0 0	Church of Engla Zenana Mission.
180	Ramkrishtopur	33 0 0	Ditto.
181	Kasundia	30 0 0	Ditto.
182	Salkia	24 0 0	Ditto.
183	Andul	16 0 0	Ditto.
184	Bantra	9 8 0	Ditto.
185	Baidyabati	14 0 0	Ditto.
186	Murgihatta	45 0 0	Baptist Mission.
187	Sibpur	21 0 0	Ditto.
188	Bagnan Mission	30 0 0	M. E. Mission.
	Dacca.		
189	Banglabazar Girls' School, Dacca ...	30 0 0	
190	Chawkbazar „ „ ...	20 0 0	
191	Faridabad „ „ ...	20 0 0	
192	Zenana Classes under B. Z. M. ...	76 0 0	
193	St. Theclas Girls' School, Golla ...	50 0 0	
194	Baptist Mission Girls' School at Narayanganj.	27 0 0	
195	Hoshnabad Mission Girls' School ...	19 0 0	
	Mymensingh.		
196	Victoria Mission Girls' School ...	30 0 0	
197	Victoria Mission Boarding ...	50 0 0	
198	Shehora Mission Girls' School ...	20 0 0	
199	Binsiri ditto ...	10 0 0	
	Faridpur.		
200	Orakandi Widows' Home ...	57 0 0	
201	Gopalganj Mission Girls' School ...	25 0 0	
	Bakarganj.		
202	Baptist Mission M. E. School, Barisal.	75 0 0	
203	Ditto Boarding	70 0 0	
204	Baptist Mission Zenana classes in bil tracts, Bakarganj and Faridpur.	75 0 0	
205	Amalgamated B. Z. M. Girls' School at Mallick Road, Barisal.	30 0 0	
206	St. Joseph's Girls' School at Padrisibpur.	21 0 0	

Serial No.	NAME OF SCHOOL.	Amount of grant per month.	REMARKS.
		Rs. A. P.	
	Chittagong Hill Tracts.		
207	Chandraghona Mission Boarding School.	40 0 0	
	Noakhali.		
208	R. C. Church Mission School, Noakhali.	35 0 0	
	Darjeeling.		
209	Bazar Hindu Girls' School ...	20 0 0	
210	Nepali Giris' School	60 0 0	
211	Buddhist Girls' School, Bhutia Bazar.	35 0 0	
212	Kurseong Mission Girls' School ...	50 0 0	
213	Phansedewa Girls' School ...	15 0 0	
214	Kalimpong Girls' School ...	100 0 0	
215	Kalimpong Training Classes ...	100 0 0	
	Rajshahi.		
216	Boalia Mission Girls' School ...	150 0 0	
217	Bolundpur Mission Girls' School	15 0 0	

List of schools and hostels attached thereto under the control and management of the religious bodies other than missionaries receiving Government grants.

BOYS' SCHOOLS.

		Rs. A. P.	
	Calcutta.		
1	Brahmo Boys' H. E. School ...	125 0 0	
2	Ditto hostel	15 0 0	
3	Hindu Orphanage	30 0 0	
4	Anjuman Rafiqul Islam ...	30 0 0	
5	Muhammadan Orphanage ...	125 0 0	
	Chittagong.		
6	Jagatpur Asram Tol	50 0 0	

GIRLS' SCHOOLS.

Serial No	NAME OF SCHOOL.	Amount of grant per month.	REMARKS
		Rs. A. P.	
	Calcutta.		
1	Brahmo Girls' High School ...	650 0 0	
2	Brahmo Samaj Hostel ...	275 0 0	
3	Victoria Institution	630 0 0	
	Nadia.		
4	Ramnagar Brahmo Santipur Girls' School.	50 0 0	
	Midnapore.		
5	Contai Brahmo Girls' School ...	120 0 0	
	Howrah.		
6	Baniban Girls' School	141 0 0	

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

16.

(*a*) What arrangements are there for the teaching of needlework a domestic economy in girls' high and middle schools?

(*b*) Are the Government considering the desirability of having speci trained teachers in these subjects, particularly for the Government high sch for girls?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) Needlework is taught in all high and middle schools for girls, a the teachers are well qualified. The position with regard to domestic econc is not so satisfactory. In Eastern Bengal, apart from the Eden High Sch where lectures are given on hygiene, first aid, home nursing and infant welfa little is done. In West Bengal most high schools and all middle schools un mission management teach cooking and various household duties.

(*b*) For needlework the present arrangements are adequate. The n of efficient teaching in domestic economy is fully recognised, but the compa tively slow progress is due to the lack of properly qualified teachers. Arran ments for special training are under consideration."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

17.

What will be the nature and scope of the *Kala-azar* survey for wh a non-recurring provision of rupees eleven thousand has been made in t budget for 1919-20?

Answer by the Hon'ble Mr. O'Malley:—

" A Deputy Sanitary Commissioner possessed of special qualifications tropical medicine, together with a small staff and travelling laboratory, w be employed on the inquiry. Circulars are being issued to all dispensaries Eastern Bengal to ensure that special particulars will be recorded of

cases showing the typical symptoms of *kala-azar*, *i.e.*, enlarged and hardened spleen and great emaciation with irregularly recurring chronic attacks of fever resistant to ordinary treatment. There are 217 dispensaries in Eastern Bengal (Dacca and Chittagong Divisions) and the staff will first visit those dispensaries from which cases of *kala-azar* have already been reported, and after examining such cases as attend, will pay visits to the villages from which the patients come with a view to discovering whether or not other cases exist. After having visited and mapped out the prevalence of the disease in the areas known to be affected, other areas from which reports of suspected cases have been received will be visited in turn and examined in the same way. An opportunity will be taken during the inquiry of demonstrating to the local dispensary medical officers the most recent methods of diagnosis and treatment, and, where necessary, arrangements will be made, as far as possible, to see that measures of prevention are adopted against the spread of the disease. It is estimated that the inquiry will occupy at least a year."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

18.

With regard to the provision made in the budget for 1919-20 for the appointment of a special officer to scrutinize college and school buildings from a hygienic point of view, will the Government be pleased to state their scheme in this matter and the circumstances and considerations which have prompted them to make the appointment?

Special officer to consider hygienic conditions of school and college buildings.

Answer by the Hon'ble Mr. O'Malley:—

"The appointment is to be made in accordance with the recommendations of an expert committee appointed in 1913 to inquire into questions connected with school and college hygiene. This committee commented severely upon the insanitary condition of educational buildings and hostels, and pointed out the need for expert supervision. It is considered desirable not only that the condition of existing buildings should receive careful scrutiny, and that any serious defects that may be brought to light should be removed or remedied, but also that closer attention should be paid than the present staff of the Sanitary Commissioner can afford to the planning of all school and hostel buildings in future with strict regard to sanitary requirements. It is accordingly proposed that a Deputy Sanitary Commissioner should be appointed as an experimental measure for 5 years to inspect existing school buildings and hostels from the sanitary and hygienic point of view, to draw up general directions for the lighting, ventilation and sanitation of new school buildings and to scrutinize all plans for new buildings. He will also be in general charge of the medical inspection of school children, make special studies of the diseases to which children are particularly liable and suggest suitable measures for their prevention."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

19.

What is the programme of Government in regard to the experiments in connection with hand-loom and other industries, for which a non-recurring grant of rupees three thousand has been provided in the budget for 1919-20?

Hand-loom and other industries.

Answer by the Hon'ble Mr. Donald:—

"The provision has been made for experiments on a small scale in order to ascertain whether textiles such as tapes and *doosuties* for army tents can actually be woven on hand-looms."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

20.

Scheme of cattle census.

With regard to the provision of Rs. 5,500 in the budget for 1919-2 for a temporary establishment in connection with census of cattle, will tl Government be pleased to explain the nature of the scheme of work?

Answer by the Hon'ble Mr. McAlpin:—

"It has been decided, under instructions from the Government of Indi that a census of livestock, ploughs and carts should be taken in the Presiden during the year 1919-20 and that it should be repeated at quinquenni intervals thereafter. Accordingly a census will be taken in this Presiden in January, 1920. The census in villages will be carried out by the agency panchayats under the general supervision of the subdivisional officer or tl deputy collector who may be deputed by the district officer for census du in each subdivision. In municial areas the census will be conducted by tl municipalities, while on tea gardens the managers will be requested to unde take the enumeration. The abstract totals will be computed in the office of tl Director of Agriculture and the temporary establishment, provided for in tl budget and referred to in the question, is required for that work. Copies the proposed schedules and instructions are laid on the Library table.

For information regarding the last cattle census in 1912, the Hon'b Member is referred to 'A Survey and Census of the Cattle of Bengal' Mr. J. R. Blackwood, I.C.S., published by Government in the year 1915."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

21.

Particulars as to certain printing presses, newspapers, etc.

Will the Government be pleased to lay on the table a statement showing-

(*a*) the number of applications made in Bengal, since the constitutic of this Presidency in its present form, under the Indian Pre Act, 1910, for permission—

(*i*) to open new printing presses,
(*ii*) to start newspapers, and
(*iii*) to make declarations of being printers or publishers;

(*b*) the number of cases in which security has been demanded, statin the nature of each such case;

(*c*) the number of cases in which the applicants failed to furnish tl security demanded;

(*d*) the names of newspapers and periodicals that existed in Calcutt before the passing of the Indian Press Act, 1910, and whic have now ceased to exist; and

(*e*) the names of newspapers and periodicals whose securities have bee forfeited or which have been otherwise penally dealt with unde the said Press Act?

Answer by the Hon'ble Mr. Kerr:—

"The information is given in the statements which are laid on the table.

Statements referred to in the answer by the Hon'ble MR. KERR *to question No. 91 (Unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council meeting of the 7th April, 1919.*

(*a*) Statement showing the number of declarations made by keepers of presses and publishers of newspapers and periodicals which have been dealt with in Bengal under the provisions of the Indian Press Act, 1910 :—

Declarations by keepers of new presses dealt with under section 3(*1*).	Declarations by keepers of pre-existing presses dealt with under section 3(*1*).	Declarations by publishers of new newspapers and periodicals dealt with under section 8(*1*).	Declarations by publishers of pre-existing newspapers and periodicals dealt with under section 8(*1*).
310	254	223	133

(*b*) Statement showing the number of cases in which security has been demanded in Bengal from presses, newspapers or periodicals under the Indian Press Act, 1910, and the section under which security was demanded :—

PRESSES.		NEWSPAPERS AND PERIODICALS	
Security demanded under section 3(*1*).	Security demanded under section 3(*2*).	Security demanded under section 8(*1*).	Security demanded under section 8(*2*).
101	6	53	Nil.

(*c*) Statement showing the number of cases in Bengal in which applicants failed to deposit the security demanded in respect of presses, newspapers or periodicals :—

Presses.	Newspapers and periodicals.
22	25

(*d*) Statement showing the names of newspapers and periodicals that existed in Calcutta before the passing of the Indian Press Act, 1910, and which have now ceased to exist :—

Serial No.	Name of publication.
1.	A Chikni Ripang.
2.	Aitihasik Chitra.
3.	Alaukik Rahasya.
4.	Alok.
5.	Anath Pratipalan.
6.	Annsilan.
7.	Armenian.
8.	Aryabhumi.
9.	Arya Bibhuti.
10.	Asian.
11.	Avasar.
12.	Balya Sakha.
13.	Banga Bandhu.
14.	Banga Bhumi.
15.	Basudev.
16.	Bharat Chitra.
17.	Bharat Mitra.
18.	Bharat Mohila.
19.	Bhisak Darpan.
20.	Calcutta Times.
21.	Chikitsa.
22.	Chikitsa Sanmilani.
23.	Co-operator.
24.	Dainik Hitabadi.
25.	Darul Hukumat.
26.	Dar-ur-Sultanah.
27.	Dawn and Dawn Society's Magazine.
28.	Devalya.
29.	Devangar.
30.	Dharma.
31.	Dharma O Karma.
32.	Dharmatattva.
33.	Dipti.
34.	Grihalakshmi.
35.	Hindusthan.
36.	Hitavarta.
37.	Homeopathic Chikitsa Patra.
38.	Homeopathic Prachar.
39.	Hutom.
40.	Indian Appeal.
41.	Indian Empire.
42.	Indian Field.
43.	Indian Importer.

Serial No.	Name of publication.	Serial No.	Name of publication.
44.	Indian Nation.	70.	Oriental Mystic Magazine.
45.	Indian Public Health and Municipal Journal.	71.	Palm Leaves from Loreto in India.
46.	Indian Sunday School Journal.	72.	Prakriti.
47.	Indian Lancet.	73.	Prabha.
48.	Indian Medical Record.	74.	Prabhat.
49.	Indian Witness.	75.	Ravwir-us-Sharq.
50.	Indian World.	76.	Registration Journal.
51.	Industrial India.	77.	Reis and Rayyet.
52.	Inquirer.	78.	Sachchasi Surbid.
53.	Islam Pracharak.	79.	Sakti.
54.	Isvartattva Samalochona Patrika.	80.	Sambad Purna Chandrodaya
55.	Jahnavi.	81.	Sammilani.
56.	Journal of the Moslem Institute.	82.	Sangit Prakasika.
57.	Journal of Tropical Veterinary Science.	83.	Saral Homeopathy.
58.	Kamala.	84.	Sarathi.
59.	Karmoyogin.	85.	Satya Sanatan Dharma.
60.	Kshristya Bhandab.	86.	Silpa O Sahitya.
61.	Mahajan Bandhu.	87.	Soltan.
62.	Mahila.	88.	Srigauranga Patrika.
63.	Mahasakti.	89.	Sri Vaishnava Sevika.
64.	Malancha.	90.	Sumati.
65.	Manasi.	91.	Suprabhat.
66.	Mercantile War Cry.	92.	Svades.
67.	Mihir O Sudhakar.	93.	Svadeshi.
68.	Navavidhan.	94.	Swades.
69	Oriental.	95.	Udbodhan.
		96.	Unity and Minister.
		97.	Utkal Varta.
		98.	Vasudah.
		99.	Vidhan Prakas.
		100.	Vijnan Darpan.

(*e*) Statement showing the names of newspapers and periodicals whose securities have been forfeited or which have been otherwise penally dealt with under the Indian Press Act, 1910 :—

Name of publication.	Nature of action taken.
1. Habul Matin (Urdu edition)	(1) Issue of the 11th August, 1913, forfeited under section 12. (2) Security and issue of 12th September, 1913, forfeited under section 9(*i*).
2. Habul Matin (Bengali edition)	Issues of the 13th and 17th August, 1913, forfeited under section 12.
3. Al Hilal	(1) Issues of the 13th and 17th August, 1913, forfeited under section 12. (2) Security of the "Hilal Press" and issues of the 14th and 21st October, 1914, forfeited under section 4 (*i*).

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

22.

Alleged high-handedness of the sub-divisional officer regarding appointment of a secretary to the Madaripur Central Bank.

(*a*) With reference to the answer given to my unstarred question No. 25 at the meeting of the Council held on the 5th March, 1919, will the Government be pleased to state—

(*i*) whether it is a fact that Babu Ambika Charan Bose, Inspector of Police, Madaripur, sent constables to Maulvi Abdul Kader Khan and Munshi Kalu Bepari (or Kali Bepari) and called them to his house and coerced them to support the subdivisional

officer who was the Chairman of the Central Bank regarding the appointment of a paid secretary for the said Madaripur Central Bank;

(*ii*) whether the views of the subdivisional officer—Chairman of the Bank, were opposed to the views of the Muhammadan members or to the majority of the members of the said Bank;

(*iii*) whether the said Inspector Babu Ambika Charan Bose threatened the aforesaid Munshis, Abdul Kader Khan and Kalu Bepari, with trouble if they acted contrary to the wishes of the subdivisional officer;

(*iv*) whether another Director, Munshi Mozuffer Ali Khan of Palong, was also threatened by the police officers of Palong police-station in order to coerce him into agreeing with the subdivisional officer;

(*v*) whether on the said Munshi Mozuffer Ali Khan's refusal to comply with the request of the police officers, he was prosecuted in a petty case and after harassment, was discharged by Mr. Basu, the successsor to the then subdivisional officer; and

(*vi*) whether the house of Mozuffer Ali Khan was searched?

(*b*) If the answer to the above allegations or to any portion thereof be in the negative, will the Government be pleased to state in detail what are the actual facts relating to the relations between the subdivisional officer, Mr. Basu and the Muhammadan directors of the Madaripur Central Bank?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) and (*b*) Government have no information regarding the alleged incidents. They do not consider that they are of sufficient interest and sufficiently recent to warrant any inquiry into them."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

23.

Withholding of permission to the Muhammadan directors of the Madaripur Central Bank to say their prayers.

(*a*) Is it a fact that on the occasion of a meeting of the Madaripur Central Bank on the 19th January, 1918, Maulvi Habibuddin Ahmed and other Muhammadan directors asked for permission to offer their *Maghrib* (evening) prayers and that the Chairman (who was also the subdivisional officer) told them to attend to their business first and then to their prayers?

(*b*) If the answer to the above allegation be in the negative, will the Government be pleased to publish a full account of what actually occurred?

(*c*) Is it a fact that at the last general meeting held on the 7th June, 1918, the subdivisional officer, who was the Chairman of the Central Bank, called a director named Munshi Mozuffer Ali Khan "a fool" and thereafter he issued a general order directing that all meetings of the Central Bank should be held in his court room?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*), (*b*) and (*c*) Government have no information regarding the alleged incidents. They do not consider that they are of sufficient interest and sufficiently recent to warrant any inquiry into them."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

24.

Allegations against a sub-inspector of police of Rangpur.

(*a*) Is it a fact —

(*i*) that in connection with the investigation of *hât*-looting cases in the Rangpur district serious allegations were made against a sub-inspector of police of having committed outrages on women at a place at or near Chilmari;

(*ii*) that these allegations were published in Bengali newspapers; and

(*iii*) that these newspapers have been sued by the police-officers for damages?

(*b*) If so, are the Government considering the desirability of making inquiries in regard to these allegations?

(*c*) Is it a fact—

(*i*) that Mr. S. R. Das, Counsel, has been engaged by Government to conduct the case on behalf of the police-officers; and

(*ii*) that the counsel will be remunerated by the Government?

(*d*) If so, what is the remuneration fixed?

(*e*) If the answer to these allegations be in the negative, will the Government be pleased to make a full statement as to the facts?

Answer by the Hon'ble Mr. Kerr:—

" (*a*) and (*b*) Allegations were published in the *Bangabasi* newspaper regarding the conduct of inspector Dwijendra Chandra Ghose in connection with the investigation of certain *hât*-looting cases in the Rangpur district. An inquiry was held into the matter by Mr. J. N. Gupta, then District Magistrate of Rangpur, who reported that the charges were unfounded. The inspector was then permitted to sue the paper for damages.

(*c*) Yes.

(*d*) The remuneration has not yet been settled but will be in accordance with the scale fixed in the Standing Counsel's agreement.

(*e*) As the case is *sub judice*, Government are unable to make any further statement at present."

By the Hon'ble Babu Bhabendra Chandra Ray:—

25.

recoverable mporary loans.

Will the Government be pleased to state why the large amount of irrecoverable temporary loans have been written off in the revised estimates for 1918-19 under the expenditure head " Miscellaneous "?

Answer by the Hon'ble Mr. McAlpin:—

" Almost the entire portion of this amount is due to the remission of part of a loan in accordance with an agreement which the local Government made with the Government of India in the year 1914."

By the Hon'ble Babu Bhabendra Chandra Ray:—

26.

Will the Government be pleased to indicate the detailed heads under which unclaimed deposits are credited to the revenue head "Miscellaneous"? Details as to crediting of unclaimed deposits.

Answer by the Hon'ble Mr. Donald:—

"There are no detailed heads. All unclaimed deposits are credited under the major head 'XXV—Miscellaneous,' minor head 'Unclaimed deposits.'"

By the Hon'ble Babu Bhabendra Chandra Ray:—

27.

Are the Government in a position to give an estimate of the amount of probable total capital expenditure under the Public Works Department, for police purposes, by which the assignment for the reorganization of the subordinate police made by the Government of India will be ultimately exceeded and which, as stated in the current financial statement, will no longer be shown under the expenditure head "Police"? Estimated excess of capital expenditure for police purposes over the assignment.

Answer by the Hon'ble Mr. Kerr:—

"The special grant given by the Government of India for non-recurring expenditure in connection with the reorganization of the police in the area which now forms the Presidency of Bengal amounted to Rs. 22,52,000. The whole of this sum has now been spent, and any further expenditure on police buildings will have to be met from provincial revenues and provided for in the Civil Works budget. No final estimate of the total cost of putting the police buildings of this Presidency on a satisfactory footing has been drawn up, but the estimated cost of the works administratively approved for execution when funds are available amounts to over Rs. 80 lakhs."

By the Hon'ble Babu Bhabendra Chandra Ray:—

28.

Have the Government any definite and comprehensive scheme for constructing police buildings, beyond what was provided for by the assignment for the reorganization of the subordinate police made by the Government of India? Scheme for constructing police buildings.

Answer by the Hon'ble Mr. Kerr:—

"The Hon'ble Member is referred to the answer to question No. 27."

By the Hon'ble Babu Bhabendra Chandra Ray:—

29.

(*a*) Have the Government drawn up any comprehensive scheme for the development of Kalimpong, for which a provision has been made in the budget for 1919-20? Development of Kalimpong.

(*b*) If so, will the Government be pleased to state its main features, and the probable ultimate cost to be entailed thereby?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes.

(*b*) It is proposed to give long-term leases of plots for residential purposes on Ringkingpong Ridge; the buildings will be constructed by the

lessees. Public works, such as water-supply, drainage and main roads, will be constructed by Government. The ultimate cost is estimated at 15 lakhs. It is expected that the ground rents will furnish a good return on the capital outlay."

By the Hon'ble Babu Bhabendra Chandra Ray:—

30.

Grants to Bengal Home Industries Association.

What are the terms and conditions on which grants are made to the Bengal Home Industries Association, and to what use have they been put so far?

Answer by the Hon'ble Mr. Donald:—

"The annual grant—Rs. 18,000—to the Association is unconditional and is absorbed in the general funds of the Association. The Hon'ble Member is referred to the annual reports of the Association for information as to how it has used the funds at its disposal.

A special grant of Rs. 1,000 was made in the year 1917-18 to meet the cost of sending exhibits representative of Bengal home industries to the exhibition of Indian Arts and Industries at Madras in the cold weather of 1917-18."

By the Hon'ble Babu Bhabendra Chandra Ray:—

31.

Home girls' scheme.

(*a*) Will the Government be pleased to explain the home girls' scheme, in connection with girls' schools, which is aided by Government?

(*b*) In what districts has the said scheme been working, and how far has it succeeded?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) In certain villages *purdahnashin* ladies (Hindus and Muhammadans) gather together a number of pupils and teach them in their own houses. The schools so conducted are known as home girls' schools. The idea is to enable ladies who are fit to teach but are averse to serving in public schools, to teach children of members of the orthodox communities who are unwilling to send their girls to public schools. Each teacher gets a stipend of Rs. 10 a month.

(*b*) There are four such schools in the Dacca district and five in the Tippera district, and most of them are reported to be doing satisfactory work."

By the Hon'ble Mr. H. R. A. Irwin:—

32.

The Victoria and Dow Hill Schools.

(*a*) Is it a fact that the Victoria and Dow Hill Schools are the only purely Government schools for boys and girls, respectively, of the poorer class of European and Anglo-Indian communities in Bengal?

(*b*) What is the number of the pupils in each school?

(*c*) (*i*) What is considered a full staff of teachers for purely scholastic studies, for each school, and

(*ii*) what is the average number of scholars allotted to each teacher?

(*d*) How does the proportion of teachers to scholars compare with what is usual in similar Government schools in England?

(*e*) (*i*) Is there a full staff of teachers in each school at present?

(*ii*) If not, what are the respective numbers and are they adequate to perform the duties expected of them?

(*f*) What is the sanctioned scale of pay of the masters and mistresses employed and how does it compare with the salaries paid in other similar schools in the country?

(*g*) Are the Government aware that having regard to the present conditions of life in India the salaries now paid are not considered adequate?

(*h*) Is it a fact that some of the teachers are, at present, after more than 20 years' service, drawing a salary of Rs. 250 per mensem only, and that they will be entitled to a pension of Rs. 125 per mensem only, after serving the full term required to entitle them to a pension.

(*i*) Is it a fact that there is considerable difficulty in obtaining the services of competent teachers for the staffs of these schools?

(*j*) Are the Government considering the desirability of taking steps to insure that these schools shall be maintained in condition of efficiency in so far as that depends upon competent and properly paid masters and mistresses?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) Yes.

(*b*) The Victoria School has 190 boys on the rolls, including 17 small boys, who are taught at the Dow Hill School. The Dow Hill School has 107 girls.

(*c*) (*i*) Victoria School—11 teachers, excluding the headmaster and drill instructor.

Dow Hill School—12 teachers, excluding the headmistress, three music mistresses and a drill mistress.

(*ii*) The Victoria School has at present 9 teachers, excluding the headmaster and the gymnastic instructor, and there are therefore 19 scholars per teacher, but the ratio is not really so high, as the headmaster does a good deal of teaching work. The Dow Hill School has at present 10 teachers, excluding the headmistress, the three music mistresses and the drill mistress, and there are approximately 12 scholars per teacher.

(*d*) There are no such Government schools in England.

(*e*) (*i*) and (*ii*) No. The Hon'ble Member is referred to the answer to (*c*) (*i*) and (*ii*) above. The staff in both schools is at present not up to full strength.

(*f*) Two statements are laid on the table. At the Victoria School the pay of the teachers is lower than in schools like St. Paul's, Darjeeling, but the average pay of the teachers of the Dow Hill School is about the same as the average in similar girls' schools in the Presidency. No information is available regarding schools outside Bengal.

(*g*), (*h*), (*i*) and (*j*) The answer is in the affirmative."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 32 (Unstarred) asked by the Hon'ble* MR. H. R. A. IRWIN *at the Council Meeting of the 7th April, 1919, showing the teaching staff of the Dow Hill School.*

	Name of teacher.	Designation.	Pay.	Grade and allowance, if any.
			Rs.	
1.	Miss H. Brander ...	Head Mistress ...	300	Rs. 300—20—500 (outside the grades) Rs. 150 C. L. A.
2.	„ M. Howe ...	Assistant Mistress ...	250	Class I, S. E. S.
3.	„ J. Russell ...	ditto ...	200	Class II, S. E. S.
4.	„ E. L. Milner ...	ditto ...	200	Class II, S. E. S Sub. *pro tem.* Rs. 50 C. L. A.
5.	Vacant	ditto ...	150—10—250	Outside the grades.
	Miss B. M. Bose ...	.....	200	Rs. 150—10—250 (outside the grades service).
6.	„ G. E. McAdam ...	Mistress of Domestic Economy and Housewifery.	200	Rs. 200—10—250 (outside the grades service).
7.	„ J. H. DeSouza ...	Assistant Mistress ...	150	Class III, S. E. S. Rs. 50 C. L. A.
8.	„ M. Stuart ...	ditto ...	150	Ditto.
9.	„ A. North ...	Assistant Mistress (Mistress of Physical Culture and Games), 7th March 1913.	150	Ditto.
10.	Mrs. M. G. Small ...	Assistant Mistress ...	100	Class V, S. E. S Rs. 50 C. L. A.
	„ E. Anderson ...	Offg. Assistant Mistress	100	Class V, S. E. S.
11.	Miss E. A. Lumsden ...	Assistant Mistress ...	75	Class VI, S. E. S.
12.	„ M. Mackertich ...	Ditto ...	100	Outside the grades. Rs. 50 C. L. A.
13.	„ R. Wearing ...	Ditto ...	150	Outside the graded service. Rs. 50 C. L. A.
14.	„ A. T. Cummins ...	Assistant Mistress (French).	300	Outside the graded service.
15.	„ S. George ...	First Music Mistress ...	110	Rs. 110—5—170 (outside the graded service).
16.	„ P. M. Pemberton ...	Second ditto ...	100	Rs. 100—5—150 (outside the graded service).
17.	Vacant ...	Third ditto ...	100	Outside the graded service.

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 32 (Unstarred) asked by the Hon'ble* MR. H. R. A. IRWIN *at the Council Meeting of the 7th April, 1919, showing the teaching staff of the Victoria School.*

	Name of teacher	Designation	Pay	Grade and allowance, if any
			Rs.	
1.	Vacant	Head Master ...	600	Class II, P. E. S. Rs. 150 C. L. A.
2.	Mr. P. M. O'Riordan ...	Assistant Master ...	300	Rs. 200—½—400 (outside the graded service). Rs. 150 C. L. A.
3.	Mr. E. E. Sharp ..	Ditto ...	250	Class I, S. E. S. Rs. 55 C. L. A.
4.	Mr. C. S. Price ...	Ditto ...	250	Ditto.
5.	Vacant	Ditto ...	250	Ditto.
6.	Mrs. L. E. Sharp ...	Assistant Mistress ...	250	Ditto.
7.	Mr. G. A. Gooch ...	Assistant Master ...	200	Class II, S. E. S. Rs. 50 C. L. A.
8.	Mr. A. R. Greene ...	Ditto ..	200	Class II, S. E. S. Rs. 55 C. L. A. and Rs. 25 (music).
9.	Mr. J. J. Elliott ...	Ditto ...	200	Ditto.
10.	Miss G. E. Baker ...	Assistant Mistress ...	130	Rs. 130—4—150 (outside the graded service).
11.	Mr. A. Merces ...	Assistant Master ...	75	Class VI, S. E. S. Rs. 55 C. L. A.
12.	Mr. F. Berry ...	Assistant Master (Gymnastic Master).	120	Rs. 100—5—150 (outside the graded service). Rs. 55 C. L. A.
13.	Babu Ram Bharat Singh	Munshi ...	60	Class VII, S. E. S. Rs. 12-8 local allowance.
	Mr. E. V. Saldhana ...	Officiating Assistant Master ...		.....
	Mrs. Barnes ...	Officiating Assistant Mistress.	150	Class III, S. E. S.

LIST OF BUSINESS—ITEMS Nos. 2 and 3.

THE BENGAL VILLAGE SELF-GOVERNMENT BILL, 1919.

The Hon'ble Sir Henry Wheeler moved that the further report of the Select Committee on the Bengal Village Self-Government Bill, 1919, be taken into consideration.

He said :

"There is a long list of amendments before the Council, but I hope that it will be found that it is somewhat shorter than it looks, as various amendments are more or less identical and others are merely consequential However, in view of the fact that there is a lengthy agenda paper before us I do not propose to make any further remarks on the Bill at this stage."

The motion was put and agreed to.

The Hon'ble Sir Henry Wheeler also moved that the clauses of the Bill be considered for settlement in the form recommended by the Select Committee.

The motion was put and agreed to.

AMENDMENT No. 1 (APPENDIX TO THE LIST OF BUSINESS).

In the absence of the Hon'ble Maulvi Fazl-ul-Haq, the **Hon'ble Maulvi Abul Kasem** moved the following amendment :—

that in sub-clause (*1*) of clause 1 for the word "village" the word "rural" be substituted.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the Hon'ble Member has not given any arguments in support of the change suggested, which, in effect, is one of drafting, and as a general principle, I think that matters of drafting are best left to the Legislative Department and the Select Committee. The facts are that in the Bill originally introduced the title and preamble were as follows :—

'*A Bill to extend Village Self-Government in Bengal.*—WHEREAS it is expedient to extend the system of Village Self-Government in Bengal, etc.'

When we were considering the point in Select Committee we thought that in place of the general phrase 'to extend the system of Village Self-Government in Bengal', it was more correct to say that it was intended to develop the system of Self-Government in the rural areas of Bengal ; and we accordingly changed the title and preamble to that effect, viz.,—

'*A Bill to develop Self-Government in the rural areas of Bengal.*—WHEREAS it is expedient to develop the system of Self-Government in the rural areas of Bengal, etc.'

We did not alter clause 1(*1*) which runs : 'This Act may be called the Village Self-Government Act, 1919 ; as we thought that this was clear and concise, identifying the object of the Bill with the unit of the village. We, therefore, left it as it was.

As I understand the amendment, the idea underlying it is that we should adjust clause 1 (*1*) in the terms of the amended preamble. It is not necessary that we should do so, and the Select Committee after again examining the point when the Bill was re-committed to it, decided to adhere to the present wording."

Another objection to altering the drafting is that it involves various consequential amendments in such places as the schedule, where the Bill is referred to by its title, and these amendments have not been worked out by the Hon'ble Member. I would, therefore, oppose the amendment, as purely one of drafting, the acceptance of which might lead to complications in other parts of the Bill.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, in the absence of my friend, the Hon'ble Maulvi Fazl-ul Haq, I moved it at his request. I do not see much difference in the wording and do not press this amendment."

The motion was then put and lost.

AMENDMENT No. 2.

The Hon'ble Babu Akhil Chandra Datta moved that for sub-clause (*3*) of clause 1 the following be substituted, namely :—

> "(*3*) It shall come into force in the whole of Bengal and on such dates as the Local Government may, by notification, fix within a period not exceeding three years from the date on which this Act is passed, and the Local Government may, by notification, withdraw this Act from any district or part of a district provided that the reasons for such withdrawal shall be stated in the notification."

He said :

"My Lord, as the clause stands now, it will come into force in such districts or such parts of districts and on such dates as the Local Government may, by notification, direct. The two things that I want to draw your Excellency's attention to are that it is proposed that it shall come into force in such districts to which it may be made applicable, and on such dates as may be fixed by notification. In place of this, I want to submit that it should come into force in the whole of Bengal, and in the second place it should be introduced within such period as may be fixed by the Local Government, that period not exceeding three years from the date of the commencement of the Act.

In connection with this amendment, I crave your Excellency's indulgence just to say a word or two about the general applicability. My Lord, we have been taken to task for sending in notice of many amendments. As I entered the Council Chamber this morning, the Hon'ble Mr. Phelps drew my attention to the impropriety of such a large number of amendments and suggested in fact that it would be playing the part of an obstructionist to press for so many amendments. I have, of course, accepted the suggestion in the spirit in which it was offered. My only answer to this charge is to be found in the amendments themselves. This amendment goes to show that we do not want to be obstructionists ; in fact, we rather welcome this Bill. All my complaint is that it should not be delayed, but brought into operation at once ; and on the other hand it should not be withheld from any particular district or districts, but should be made applicable to the whole of the province. That goes conclusively to show what is my real attitude with regard to this important measure. In fact, my Lord, I can claim this that of all the 50 Hon'ble Members of this Council, I am the one who wants that the whole of this important measure should be introduced at once, and in all districts, so that it goes to show that although we want amendments and changes here and there, in some cases in matters of principle and in the others in regard to details, on the whole we welcome this measure and we are anxious that it should be given effect to at once.

The object of this amendment is that we know from our past experience that however statesmanlike and wise a measure may be, its operation is sometimes delayed owing to the report of some local officers, as there may be some officers who may not like the measure. I, therefore, suggest that this

measure should be introduced all at once, as such reports may be submitted by local officers as may lead to delay. For that reason I have suggested the period of three years. Three years being a sufficiently long period, the Local Government should be able to know when the people want this measure and when the Government want it. This period is sufficiently long in which the Government ought to be able to introduce it in the whole of this province.

Then, my Lord, with regard to the last portion of this amendment, what I want to submit is that the local Government may, by notification withdraw the Act from any district or part of a district. I want to add to it a proviso, namely, 'provided the reasons for such withdrawal shall be stated in the notification'. This is, I submit, not an unreasonable proposal. If a district is given the privilege of the extension of the Act and if later on it is to be deprived of it, it is only proper that the reasons should be stated for such withdrawal. That it is all I have got to say."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I do not propose to follow the Hon'ble Member in his general explanations of his attitude towards this Bill. Whatever may be the number of the amendments, I do not know that, personally, I have commented on them in particular, and their value can best be judged by the Council when we conclude our labours.

This particular amendment raises two points which are distinct from each other. The Bill, as framed, contemplates elasticity in its extension to various parts of the province. It only comes into operation in various areas on notified dates, and such areas may be either districts or parts of districts. The Hon'ble Member says : 'No, the Bill must rigidly come into operation throughout the whole province in three years'. I think, Sir, that the reasons in favour of elasticity are overwhelming, and they are both theoretical and practical.

In the first place, the conditions of this province are not homogeneous. It is often overlooked that the conditions of India are not homogeneous, and it is equally true that the conditions of any particular province within India are not homogeneous. Merely to give a few instances, we have tracts like Darjeeling, portions of the Chittagong Hill Tracts and the Duars, which are mainly inhabited by aborigines; also there are parts of Midnapur and Bankura which are inhabited by Sonthals and the like. These tracts are absolutely different from more advanced portions, such as the Munshiganj subdivision of the Dacca district, for example, or the subdivisions of Mymensingh. It is not wise in that view to say that the whole province in respect of village self-government must be treated on the same lines. It is merely to court failure, not to recognize that an advance may be possible in some areas, but impossible in the less advanced ones; and it is in recognition of that fundamental fact that the Bill has provided for elasticity. The extension or the development of self-government will first be tried in the advanced areas where it has most chance of success, and in the light of the experience so gained we shall go on extending it to others. It is impossible to believe that within the short space of three years the differences between the different parts of the province will have disappeared.

That is the theoretical argument, and there is also a practical argument. To introduce this system without careful supervision and encouragement from the outset will also be to invite failure. To exercise supervision we must have a staff; and it will be difficult to recruit that staff within so short a space as three years, much less to train them. The opinion of the District Administration Committee, on whose report this measure is largely based, was that three or four districts might be taken up every year, but I would deprecate any rigid programme. What we want is elasticity, so that we can be guided by what seems best in the light of the actual work

done. So, both on theoretical and practical grounds, I would press for the less rigid provision in the Bill. The clause hurts nobody, and it is the wish of the Local Government to extend the system as much as possible ; the only point on which it lays stress is that in so doing it should not be bound absolutely by impossible dates.

The second point raised in the amendment is that in any notification we should give the reasons for our action. My objection to that is that a notification is a statutory declaration, which states a certain fact in concise and clear language in order that the existence of that fact may be easily available on record on whatever occasions reference has to be made to it, whether in the Courts or elsewhere. A notification is not meant to be argumentative ; it is merely meant to declare that such and such a thing took place. I would, therefore, deprecate the cumbering of it by arguments. It is not necessary that it should give reasons. The Act could not be withdrawn from any district without full opportunity of the question being raised, say, in this Council either by question or resolution, or by the other various means that are at the disposal of Hon'ble Members. There is, therefore, no hiding of the reasons simply because they are excluded from the notification. On these grounds, Sir, I would deprecate the acceptance of this amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, the two points that have been raised by the Hon'ble Sir Henry Wheeler in reply are that in the first place the system should be first tried in some of the advanced districts ; and that in the second place, necessary arrangements have got to be made. Now, with regard to the first objection, I would submit that the system has already been tried for some years past. It was introduced first, if I remember rightly, in 1904—I speak subject to correction—at all events about the time when it was first introduced. It has been tried in several districts and the result of that experiment is the report of the District Administration Committee recommending the legislation which is now before us. Therefore, it is not a matter of first impression ; the system has already been a trial and it has been found to be successful.

As regards the arrangements to be made, I admit that arrangements have, of course, to be made, but at the same time the period of three years is tolerably long, and if it is supposed that that period is not sufficiently long for making preliminary arrangements, I think that is a question of detail and that the period may be extended to five years. In any case, all my anxiety is that the whole of this province may be given the benefit of this legislation within a reasonable period of time.

My Lord, I do not like to add anything to the remarks which I have already made with regard to the second point about the inclusion of the reasons in the notification."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, with reference to the last remarks of the Hon'ble Member, may I ask him three questions? Will he name a single area in this province in which the system of the combined functions of the chaukidari panchayet and the local self-government union are in force? Will he name a single area in this province in which the enlarged powers of the union board proposed in this Bill are in force? Will he name a single area in which the system of village courts or benches is in force."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I admit, of course, that there are two bodies now, namely, the Panchayat Unions under the Chaukidari Act of 1870 and the Union Committees under the Bengal Local Self-Government Act of 1885 (Bengal Act III

of 1885). Certainly, these are two separate bodies working separately and not in combination as it is now proposed to make under this Bill; but all the same, there are the Panchayati Unions working side by side with the Union Committees, which have worked under the President system. They have been tried, for instance. in Tippera, in Burdwan, and also I believe in Bakarganj. I admit, however, that they have not been tried exactly in the manner in which it is now proposed, namely, combining the two functions in one body; in substance it is the same, as by the change that is proposed to be introduced under this Bill, we are going to have one body, instead of two bodies, doing the duties of the Chaukidari Unions as well as of the Union Committees."

The motion was then put and lost.

AMENDMENT No. 3.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that the words "and the Local Government may, by notification, withdraw this Act from any district or part of a district" in lines 3 to 5 of sub-clause (*3*) of clause 1 be omitted.

He said:

"My Lord, my point is this. This seems to be a new provision in this Bill; in the Local Self-Government Act and the Municipal Act there is no parellel to this provision. Of course, Government will be cautious enough to introduce this measure wherever they consider these privileges should be granted. My point is this: that once this is done, the privilege should not be withdrawn. If the new bodies are found wanting in any respect, then the remedial measure of suspension may be introduced, but as these privileges are being introduced for the first time, there may be failures here and there, in that case I submit that all the privileges may not be withdrawn. That is my contention. I suggest in those cases remedial measures should be taken. Three bodies are mentioned here; the village panchayet, the Union Committee, and the chaukidari panchayet. As regards the last two they are working tolerably well, and as regards the first, option is given to the local people if it is not working well, not to go to them, but to go to the district tribunal. My suggestion is that suspension or some such measure may be resorted to in case of failure, and the people may be given an opportunity of gaining experience in local self-government with the help of the district officers and the district board, and I pray that they may not be deprived of the privileges once granted."

The Hon'ble Sir Henry Wheeler said:—

"My Lord, the justification for this provision is somewhat similar to that which I have just been arguing in connection with another amendment, viz., that we should have elasticity in introducing these changes—the power to go forward when we find it desirable to go forward, and the power to go back when we find it necessary to go back. The Hon'ble Member speaks of the inexpediency of withdrawing a concession when once it has been given, but it is really in the interests of village self-government that we should have this power, because, if we feel that the position is easily retrievable, and if we know that if an experiment is not succeeding we can abandon it, then we need have less hesitation in giving the new system a trial. Therefore the clause, as it stands, really helps the object which the Hon'ble Member has in view, which is, apparently, that the Bill should be extended as rapidly as possible throughout the province and should be a success in working. There is much about the Bill which is experimental. I maintain that the Hon'ble Babu Akhil Chandra Datta was

entirely in error in representing that it is merely a continuance under another name of what has been working in this province for some time. It is true that we have chaukidari punchayets; it is true we have local self-government unions; but the bodies which this Bill will create will be bodies with largely increased powers and responsibilities and rights of taxation. They will be bodies which will work under a different degree of supervision to those which now exist, and they will be bodies which will exercise judicial powers for which at present there is no counterpart whatever. Therefore, the Bill is in the nature of an experiment, and I submit that we are justified in being guided in this experiment by the light of the experience which we gain. The only valid argument for the amendment is one which the Hon'ble Member has not mentioned, and that is, that the words in the clause are unnecessary. They are unnecessary since section 22 of the General Clauses Act provides that—

'Where, by any Bengal Act, a power to make orders, rules, by-laws or notifications is conferred, then that power includes a power, exerciseable in the like manner and subject to the like sanction and conditions (if any), to add, to amend, vary or rescind any orders, rules, by-laws or notifications so made.'

So the power which the Bill mentions is a power which already exists in the Bengal statutes. It may be said why then include it in the Bill? We did so for the sake of completeness; the Bill will be read by men who are not acquainted with the General Clauses Act or with the Bengal statutes, and there are one or two other small points which we have mentioned in this Bill, although they are also covered by Acts elsewhere. Therefore, Sir, I think the wording of the clause should be retained."

The Hon'ble Babu Kishori Mohan Chaudhuri said:—

"My Lord, in reply I have to say that I do not want that the provision should be introduced at once into the whole of Bengal, within a certain time. Wherever necessary and where circumstances admit it may be introduced, but my suggestion is that once introduced it may not be taken away at a moment's notice. Of course, there is the power under the General Clauses Act. My point is that wherever anything is found wanting, some remedial measures may be taken."

The motion was then put and lost.

AMENDMENT No. 4.

The following motion stood in the name of the **Hon'ble Babu Kishori Mohan Chaudhuri:—**

If motion No. 3 be not carried, also to move that after the words "or part of a district" in line 5 of sub-clause (*3*) of clause 1 the following be inserted, namely:—

"and shall in the notification state in detail the reasons for such withdrawal."

He said:

"My Lord, I want to know whether this has been already disposed of. In that case I will withdraw it."

The President said:—

"Yes, it is not in order now."

The amendment was then, by leave of the President, withdrawn.

Babu Ambika Charan Mazumdar; Sir Henry Wheeler; Maulvi Abul Kasem.

AMENDMENT No. 5.

The Hon'ble Babu Ambika Charan Mazumdar moved that the definition of "circle officer" in sub-clause (*2*) of clause 2 (now clause 4) be omitted.

He said:

"This is not a very important amendment. In fact, it is not one of those amendments which in the words of my friend, the Hon'ble Rai Radha Charan Pal Bahadur, would break the heart of anybody on this side of the House, nor the backbone of anybody on the other side, if it is or is not carried. It is simply intended to remove an incongruity. There were certain clauses in the original Bill relating to circle officers and circle boards. Those provisions have been altogether eliminated from the present Bill so that the words 'circle boards' or 'circle officers' find no place here. We do not define a word which does not find a place in the body of the Bill itself, so I consider this definition to be inappropriate in the present shape of the Bill. It might be argued that Government may appoint certain officers to be called circle officers. In that case this definition may well come in under the rules, but I do think that the definition of a word which does not find a place in the Bill itself is unnecessary."

The Hon'ble Sir Henry Wheeler said:—

"My Lord, I imagined that the Hon'ble Member was going to base his amendment upon the ground that he saw no necessity for having circle officers at all; if he had done so, I would have had a good deal to say, from which I can now fortunately spare the Council. But as he has not used that argument, I oppose the amendment on the ground that it is not necessary. I think he is under a misapprehension. If he will look at clause 56 (now clause 51) he will find that a statutory duty is laid on circle officers to see that the proceedings of union committees are in conformity with the law and with the rules in force thereunder, while in schedule III, items 4 and 5, the circle officer is mentioned as a person to whom certain functions may be delegated, namely, the appointment, dismissal and fining of dafadars and chaukidars. In the light of these facts, there is perhaps some misapprehension on the Hon'ble Mover's part, and I cannot therefore accept the amendment."

The Hon'ble Babu Ambika Charan Mazumdar said:—

"My Lord, I am sorry my attention was not drawn to clause 56 (now clause 51) as now modified and I beg to withdraw this amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 6.

The following motion which was covered by the decision on the previous motion was then held to be withdrawn:—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that the definition of "circle officer" in sub-clause (*2*) of clause 2 (now clause 4) be omitted.

AMENDMENT No. 7.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, withdrew the following motion with the permission of the President, viz.—

that after the words "district board" in line 3 of clause 3 (now clause 5) the words "and of the inhabitants" be inserted.

Maulvi Abul Kasem; Mr. O'Malley; Babu Kishori Mohan Chaudhuri; Sir Henry Wheeler.

AMENDMENT No. 8.

The Hon'ble Maulvi Abul Kasem moved that after the words "district board" in line 3 of clause 3 (now clause 5), the words "and the local boards" be inserted.

He said:

"My Lord, my reasons for this amendment are that whenever the Government are to consider the question of the formation of unions, the Select Committee have thought it desirable to have the opinions and views of the district board, and I submit that in the case of village unions, the local board's opinion should also be consulted, because there are people there from different parts of the subdivision and different parts within the jurisdiction of the local boards, and therefore they are the proper persons to advise the authorities as to the formation of village unions. As regards district boards, while they are quite competent to advise the creation of unions, the members of the board have not that intimate knowledge of rural areas as is possessed by the members of the local boards. I think their opinion should also be considered before passing orders for the formation of union boards."

The Hon'ble Mr. O'Malley said:—

"My Lord, Government recognize that it is a reasonable proposition that local boards as well as district boards should have the opportunity of expressing their views about the formation of unions, because they have an intimate knowledge of the areas under their jurisdiction, and also because they will be the controlling authorities over union boards. It is natural, therefore, that they should claim the right to have a right to be consulted when the formation of unions is proposed, and on this account I accept the amendment on behalf of Government."

The motion was then put and agreed to.

AMENDMENT No. 9.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi Fazl-ul-Haq, withdrew the following amendment with the permission of the President, viz.:—

that the words "and for the reasons stated in such notification" be added at the end of clause 3 (now clause 5).

AMENDMENT No. 10.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that sub-clause (*3*) of clause 4 (now clause 6) be omitted.

He said:

"My Lord, in sub-clause (*2*), clause 4 (now clause 6), it is provided that the members shall be elected within such time and in such manner as may be prescribed by rules under clause 111 (now clause 101), so I do not see why there should be any provision for one-third of the members to be nominated by Government when there is a clear provision that all the members shall be elected. Practically it nullifies the provision made in sub-clause (*2*), therefore, I move that sub-clause (*3*) may be omitted."

The Hon'ble Sir Henry Wheeler said:—

"Sir, this provision of the Bill is justified by the variations in the existing conditions in different parts of the province to which I have already made

reference. Under clause 4(*2*) members of union boards will ordinarily be elected, but the system of full election to bodies of this kind is by no means at present in force throughout the province. Members of the chaukidari panchayet are appointed by the district magistrate, while the number of union committees is comparatively few, and certainly, up to recently, some members of them were almost invariably appointed and not elected. Therefore, Sir, we have no precedent for imagining that successful elections can be conducted everywhere, and we know with fair certainty that whereas there may be places in which we can get a suitable board by election, there may be places in which it will be best to appoint a small proportion of the board. There is nothing particularly reactionary in a provision of this kind. It will be observed that we merely take power to appoint up to a third, whereas under section 41 of the Local Self-Government Act the Executive Government can, if necessary, appoint the whole body, so we are being more liberal than that existing provision of the Act. We are also being more liberal than the recommendation of the District Administration Committee which was to this effect :

'The members of the union panchayets should be partly elected and partly nominated, in the proportion of two-thirds elected and one-third nominated. This departure from the provisions of sections 39 to 41 of the Local Self-Government Act and the rules for the election of members of union committees framed under section 138 (*a*), is, in our opinion, necessary, as in addition to their municipal functions the panchayets will perform certain judicial and executive duties, with which the District Boards will have no concern.'

Their proposal, therefore, was that in all cases there should be a third of nominated members. The Bill merely takes power to add such a third wherever it may be deemed necessary, and in the light of these facts, I submit that it cannot be regarded as either conservative or retrograde."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, the only thing that I should like to draw your Excellency's attention to *is* that in sub-clause (*2*) it is provided that the members shall be elected, it is not stated that it is ordinarily to be done in that way. If there is any failure, that failure may be covered by rules made under clause 111, (now clause 101) but the provision of one sub-clause practically nullifies that of another, which is not very desirable, so I think there will be no serious difficulty in omitting sub-clause (*3*)."

The motion was then put and lost.

AMENDMENT No. 11.

The following motion which was identical with the previous amendment was then held to be withdrawn :—

The Hon'ble Babu Akhil Chandra Datta to move that sub-clause (*3*) of clause 4 (now clause 6) be omitted.

AMENDMENT No. 12.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi Fazl-ul-Haq, moved that in line 6 of sub-clause (*3*) of clause 4 (now clause 6) for the word "magistrate" the word "board" be substituted.

The Hon'ble Mr. O'Malley said :—

"My Lord, no reasons have been given in support of the amendment. However, I would explain that there are two main reasons why it is

proposed that the appointments should be made by the district magistrate. The first is that the district magistrate will be able to remedy inequalities produced by election, and to protect the interest of minorities. The second reason is that a district board is not a suitable agency for appointment. It meets only once a month and there is therefore risk of delay in appointment. Delays are dangerous; they may give opportunities for unhealthy rivalry and canvasing for appointments. If this amendment were accepted, the union board could not be constituted until the district had held one of its monthly meetings. The district magistrate, however, can ascertain quickly and promptly, who will be acceptable to the villagers, and who will be worthy representatives of minorities. Therefore, Government cannot accept the amendment."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, in view of the statement made by the Hon'ble Mr. O'Malley, I beg to withdraw this amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 13.

The following motion stood in the name of the Hon'ble Maulvi A. K. Fazl-ul-Haq :—

If motion No. 12 be not carried, also to move that after the words 'district magistrate" in line 6 of sub-clause (3) of clause 4 (now clause 6) the words "on the recommendation of the district board" be added.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi Fazl-ul-Haq, said :—

"My Lord, this amendment follows the same line as the previous one which has just been disposed of, therefore I do not wish to move it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 14.

The Hon'ble Babu Ambika Charan Mazumdar moved that at the end of sub-clause (*3*) of clause 4 (now clause 6) the following be added, namely :—

"from among persons, other than police-officers, who may be for the time being resident within the limits of the union."

He said :

"My Lord, this amendment refers to sub-clause (*3*) of clause 4 (now clause 6). One of the chief recommendations of the present measure is the distinct tendency which it exhibits towards developing the principle of election, and thereby laying a solid foundation for the growth and development of local self-government in its truest sense. Now, the Bill contemplates certain chances in which it may be necessary for the magistrate acting on behalf of Government to nominate not more than one-third of the total number of members. I beg to propose that at the end of this clause should be added the following words : 'from among persons other than police officers who may be for the time being residents within the limits of the union'. That is, I consider, Sir, to be very important. If police officers are to be appointed, then the very essence of the Bill will be minimized. On the other hand, if police officers are to be appointed the union boards will become unpopular bodies, and if unpopular they will also become unsuccessful. It goes without saying that if a police officer becomes a member of a union board, in that case whether he be or be not the chairman or vice-chairman, he will carry considerable influence, and the other members will always stand in some fear

of either disobliging him or going against him, and as the Government intend really to make it an effective measure of local self-Government, I think the police officers ought to be excluded and the magistrate's discretion of not appointing not more than one-third should be confined to persons other than police officers, and that those persons should be for the time being residents within the union. With this in view I submit that this additional phrase ought to be added at the end of sub-clause (*3*)."

The Hon'ble Mr. Kerr said :—

"My Lord, I am afraid it is not possible to accept this amendment. It seems to assume in the first place that no police officers would be fit to have the honour of being members of these union boards, and in the second place, that the district magistrate is going to pick out unfit police officers and put them on to the boards. I do not say that it will often happen that a police officer will be appointed a member of a union board. Police officers as a rule are too much occupied with their ordinary work, they often have to spend a large portion of their time in investigating cases and touring about in their jurisdiction, and people of that kind would not be suitable as members of the board. But there are some stationary police officers, like court sub-inspectors or head constables in charge of the thana records, who are often very worthy men, and if you come across men like that who take a real interest in village improvements, it might be desirable to put them on the board. I think it would be a great mistake to have a statutory provision preventing us from utilizing the services of such men. It is, however, not mainly on practical grounds that I oppose this amendment. I oppose it because it casts a stigma on the police officers of the province. I do not know whether the Council are aware that we are now recruiting as sub-inspectors men of good family and good education. Only the other day a man came to the Inspector-General of Police, an M.A., and asked to be enrolled as a head constable. His idea was to work his way up from the rank to the top of the force. That is the spirit that we want to encouarge if the country is to have the sort of police force it ought to have. I put it to the Council, are you going to encourage a proper spirit in the police force, if you put into a Bill of this kind a declaration that members of the police force are unfit to undertake the most elementary duties of citizenship? Government are not prepared to accept this, or to cast a stigma of this kind on the police force, and I would ask the Council as a responsible body to decline likewise to pass such a stigma on a body of public servants who, I may remind the Council, are mainly Indians."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, from the point of view of some of us on this side of the House I would like to associate myself with what has fallen from the Hon'ble Mr. Kerr. I do not think we shall be encouraging men of the police force if we are going to have a statutory bar and disqualification like this. I do not know how a force, manned mostly by our own countrymen, have done to deserve this slur as a body. My Hon'ble friend must be acquainted with a great many police officers who are worthy, honest and reliable and the tendency towards improvement is steady. I quite agree that there may be police officers quite unfit to be as members of the board, but I do not think that the district magistrate would go out of his way to appoint undesirable police officers. It would be a great wrong to a deserving body of men if we exclude them by a statutory provision, thus casting an undeserved reflection on the force."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, on behalf of Government it is first contended that it is not likely that the magistrate will appoint undesirable police officers. Well, I quite accept that, but I don't see any reason why some limit should not

be placed upon him in the appointment of police officers. Then it is said that very efficient and very intelligent police officers are now being appointed. Well, as I have already said, by introducing police officers in these union boards we run the risk of wrecking this very important measure, and I have nothing more to add."

The motion was then put and lost.

AMENDMENT No. 15.

The Hon'ble Maulvi Abul Kasem moved that after sub-clause (*3*) of clause 4 (now clause 6), the following be inserted, namely :—

"Provided that the member or members so appointed shall be entitled to be elected as members of the union board under section 5 (now section 7)."

He said :

"What I mean by this amendment is, my Lord, that the choice of the district magistrate or the authorities appointing the members of the union boards should be limited to those who are qualified to be elected as members of the board."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, in the sense that the Hon'ble Maulvi Abul Kasem has explained the amendment, I have no objection to accepting it. His object is that we should not appoint a person to the union board who has not the qualification which is required of an elected member, and that is a reasonable suggestion. The amendment, however, is not very happily worded when it talks of the 'members so appointed shall be entitled to be elected'. I think we can put it in a better form, which, I gather, the Hon'ble Member will accept.

I would suggest that it be moved in the following way :—

'Provided that no member shall be so appointed unless he is entitled to be elected as a member of the union board under section 5 (now section 7)."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I accept the amendment proposed by the Hon'ble Sir Henry Wheeler and I hope that it will be accepted by the Council."

The motion was put in the following form and agreed to :—

After sub-clause (*3*) of clause 4 (now clause 6) the following be inserted, namely :—

"Provided that no member shall be so appointed unless he is entitled to be elected as a member of the union board under section 5 (now section 7)."

AMENDMENT No. 16.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the word "may" in line 3 of sub-clause (*4*) of clause 4 (now clause 6), the word "shall" be substituted.

He said :

"My Lord, I hope this amendment will be accepted and so without putting forward any arguments I submit it for the consideration of the Council."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I have no objection to accepting this amendment. The clause, as worded, says that vacancies *may* be filled by another election or by appointment by the district magistrate : the word 'may' is used as there are two possible ways of filling vacancies ; but in a sense 'may' does mean 'shall', as the vacancies could not be left unfilled. Therefore, Sir, as 'may' practically means 'shall', I am quite willing to accept the amendment."

The motion was put and agreed to.

AMENDMENT No. 17.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "the vacancies may be filled by another election or by appointment by the district magistrate" in lines 3, 4 and 5 of sub-clause (*4*) of clause 4 (now clause 6) the following be substituted, namely :—

> "the vacancies may be filled up by another election : but, if on the date fixed for such election, the electors of any union also fail to elect the full number of members prescribed, the vacancies may be filled by appointment by the district board".

He said :

"My Lord, my reason is that as the sub-clause stands the vacancies may be filled by another election or by appointment by the district magistrate. One of two things may happen—either there may be simultaneously an election and also an appointment by the district magistrate, or the opposite thing may happen, namely, that the members may think that the appointment will be made by the district magistrate and they need not make an election, while, on the other hand, the district magistrate may not take any steps thinking that the vacancy will be filled by election. This, I submit, will not be satisfactory in practice, and, therefore, I propose that the vacancies may be filled up by another election ; but if, on the date fixed for such election, the electors of any union also fail to elect the full number of members prescribed, then the vacancies may be filled by appointment by the district board. That is my first point. My second point is that in the case of an appointment the appointment should be made by the district board and not by the district magistrate."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, as the Hon'ble Mover has stated, there are two points involved in this amendment, and I will take them separately.

Let me first explain briefly how the clause came to take its present shape. As I have said before, this electoral system in these small village bodies, will, to a certain extent, be experimental, and we know by experience that even in larger bodies, such as municipalities, elections do fail, possibly because the people concerned are not sufficiently interested to come to the poll or it may be, by reason of technical difficulties. In these village elections there will be a greater likelihood of that kind of failure occurring. Therefore, in the Bill as originally introduced, it was provided that if within a period fixed in this behalf the electors of any village committee failed to elect the full number of members prescribed for the committee, the district magistrate should appoint the remainder ; that is to say, if the village committee did not take advantage of the right of election, they lost it once for all. When we were considering the matter in Select Committee, it was represented to us that this might be a little hard, as there might be valid reasons why the election had failed, for which it would be

easonable to give the villagers a kind of *locus pœnitentiæ* and another pportunity of electing their representatives. We considered the suggestion o be reasonable, and we therefore drafted the clause in its present elastic orm, which says, that if one election fails then there may be another election r resort may be had to appointment. We left it elastic, because it is mpossible to define under what circumstances precisely elections would fail; uch a result might be due to a temporary cause or a permanent cause. The istrict magistrate would have to judge whether it was caused by an ccident which was likely to be rectified by another election, or whether here were permanent influences at work which rendered appointment esirable. We have also in clause 111 (now clause 101) taken power to pres-ribe rules which would govern the exercise of this discretion. There is ot the slightest wish of the Local Government to take away the right of ection whenever it can be advantageously exercised. If the right of ection is given at all, we would much prefer to see the union boards hosen in that way; but contingencies may arise which may render election mpossible, and we have accordingly provided for them in a more elastic form han that originally inserted in the Bill.

As regards the second proposal of the Hon'ble Mover, that appointment hould be by the district board in place of the district magistrate, the on'ble Mr. O'Malley has argued that point in connection with another mendment, and the same arguments are applicable here, rendering it ndesirable to make such a change."

e Hon'ble Babu Akhil Chandra Datta said :—

"My Lord," there is not much dispute about the principle underlying is provision. The question is not whether electors will be deprived of e right of election or they might not have any control. Quite apart from at my difficulty is this: The provision being alternative, the members ght think that the appointment would be filled up by the district agistrate and the district magistrate in the same way might think that e appointment would be filled up by election; so that the result may be action on the part of both the bodies. On the other hand, both might take cessary steps for filling up the vacancy simultaneously. Supposing the mbers elect and also the district magistrate appoints a man for the cancy, what would be the result in that case? To avoid that, my Lord, ubmit that vacancies may be filled up by another election That will o make it very clear as appears from the line of argument advanced by e Hon'ble Sir Henry Wheeler, because an election may fail on account of hnical grounds. That is a case in which it is only fair that they should given another election. So, both on the ground of expediency as well on the ground of principle, I think that the amendment I have suggested a better one than the provision as it stands."

The motion was then put and lost.

AMENDMENT No. 18.

The Hon'ble Rai Radha Charan Pal Bahadur moved that after the words ection or" in line 4 of sub-clause (*4*) of clause 4 (now clause 6) the words the event of the failure of such second election" be inserted.

He said :

"My Lord, my amendment follows the same lines as the previous amen ment, with this difference, that in the event of the failure of such second ele tion, the appointment will be made by the district magistrate, and in the previo amendment which was moved by my hon'ble friend, Babu Akhil Chandr Datta, the appointment was to be made by the district board. That is th difference. My Lord, I have heard the reply of the Hon'ble Sir Henry Wheel to the first part of the amendment. That is, to ensure a second electio which is common to both the amendments. He says there may be tempora or permanent cause, and if it is temporary the district magistrate will grant second election, and if it is permanent the district magistrate will make th appointment, and it is not the intention of Government to avoid a secon election which he says will be regulated by the rules to be framed und clause 111 (now clause 101). The intention being clear, I think th Hon'ble Member would kindly consider whether the discretion would be le to the unaided judgment of the district magistrate. Well, there may b temporary or permanent causes, and the district magistrate may make mistake, but nothing will be lost if a provision for a second election is mad Government will not lose anything by this. It will also emphasize ver clearly the intention of Government. Further, if any mistake is made by th district magistrate, and if the district magistrate does not grant an electio then the chance of the second election will be gone, and perhaps it may le to unpleasant feelings between the district magistrate and the people of th area concerned. Therefore, I hope my Lord, that my amendment will receiv favourable consideration at the hands of the Hon'ble Member in charge the Bill."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, it is true that the present amendment does not contain th second point to which I took exception in connection with the amendme which has just been moved, but the first point still remains, and the arg ments which I have urged against it remain valid in objection to it. Briefl it is preferable to retain the elasticity of the clause as it stands to the rig prescription that there must be two elections. It may be reasonable to hold second election or it may be entirely unnecessary; it is therefore best to lea a discretion to the district magistrate, and far from the exercise of th descretion being unfettered, it will be regulated by rules for the maki of which we take power in clause 111 (now clause 101)."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, if it is the intention, as I have said, of Government to fram rules under clause 111 (now clause 101), is it not much more satisfactory t have that intention made clear in the specific clause of the Bill? Th Hon'ble Member says that we do not want to make a rigid prescription tha a second election will be allowed. I do not understand how a rigid rule ca be framed under clause 111 (now clause 101), which will allow a secon election in all cases where the first election fails. My Lord, I think, havin regard to the *pros* and *cons* of the case, Government will do well to accep this amendment, because, after all, neither will Government lose anythin nor will the administration suffer in any way, but on the contrary, the peopl will be highly gratified if this clause is accepted. As this will be practi cally left in the hands of the district magistrate. I fail to understand wha is the objection to this clause being inserted here. I would, therefore, as the Hon'ble Member in charge of the Bill if he can yet see his way to accep

The President.

A division was then taken with the following result :—

Ayes—15.

The Hon'ble Sir Nilratan Sirkar, KT.
" Raja Hrishikesh Laha, C.I.E.
" Mr. Provash Chunder Mitter, C.I.E.
" Babu Siva Narayan Mukharji.
" Kumar Shib Shekhareswar Ray.
" Mr. Arun Chandra Singha.
" Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" Rai Debender Chunder Ghose Bahadur.
" Rai Radha Charan Pal Bahadur.
" Maulvi Abul Kasem.
" Babu Bhabendra Chandra Ray.
" Babu Akhil Chandra Datta.
" Rai Mahendra Chandra Mitra Bahadur.
" Babu Kishori Mohan Chaudhuri.
" Babu Ambika Charan Mazumdar.

Noes—27.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" Mr. J. G. Cumming, C.S.I., C.I.E.
" Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" Mr. J. H. Kerr, C.S.I., C.I.E.
" Mr. C. J. Stevenson-Moore, C.V.O.
" Mr. F. C. French, C.S.I.
" Mr. J. Donald, C.I.E.
" Mr. L. S. S. O'Malley, C.I.E.
" Mr. H. P. Duval.
" Mr. M. C. McAlpin.
" Mr. F. A. A. Cowley.
" Col. J. K. Close, M.D., I.M.S.
" Mr. W. C. Wordsworth.
" Mr. C. F. Payne.
" Mr. S. G. Hart.
" Khan Bahadur Maulvi Aminul Islam.
" Sir Rajendra Nath Mookharji, K.C.I.E.
" Mr. R. V. Mansell, O.B.E.
" Mr. W. H. H. Arden Wood, C.I.E.
" Mr Aminur Rahaman.
" Mr. L. V. N. Meares.
" Mr. W. E. Crum, O.B.E.
" " W. H. Phelps.
" " G. A. Bayley.
" Dr. Abdulla-al-Mamun Suhrawardy.
" Khan Sahib Aman Ali.
" Babu Mahendra Nath Ray, C.I.E.

The Hon'ble Rai Sri Nath Ray Bahadur abstained from voting.

The following Members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" Babu Brojendra Kishor Ray Chaudhuri.
" Mr. F. W. Carter, C.I.E., C.B.E.
" Mr. H. R. A. Irwin, C.I.E.
" Mr. M. Ashraf Ali Khan Chaudhuri.
" Maulvi A. K. Fazl-ul-Haq.
" Mr. Altaf Ali.
" Babu Surendra Nath Ray.
" Mr. K. B. Dutt.

The *Ayes* being 15 and the *Noes* 27, the motion was lost.

AMENDMENTS Nos. 19 and 20.

he President said :—

" Items Nos. 19 and 20 are covered by the decision already arrived at by e Council."

The following motions were then held to be withdrawn : —

The Hon'ble Maulvi Abul Kasem to move that after the words "election or" in line 4 of sub-clause (*4*) of clause 4 (now clause 6) the words "in the event of failure of such second election" be inserted.

The Hon'ble Babu Kishori Mohan Chaudhuri to move that after the word "or" in line 4 of sub-clause (*4*) of clause 4 (now clause 6) the words "and if the electors fail again to elect the full number on the date fixed for the second election" be inserted.

AMENDMENT No. 21.

The Hon'ble Babu Kishori Mohan Chaudhuri moved—

that for the words "district magistrate" in lines 4 and 5 of sub-clause (*4*) of clause 4 (now clause 6) the following words be substituted, namely :—

> "divisional commissioner out of a panel of double the requisite number to be nominated by the chairman of the district board in consultation with their vice-chairman, within a time to be fixed by the district magistrate".

He said :—

"My Lord, in this case my proposal is that instead of the power of nomination being given to the district magistrate it might be exercised by the divisional commissioner on the nomination being submitted by the chairman of the district board. As far as I remember, under the provisions of the Local Self-Government Act the power of nominating the members of the union committee lies with the divisional commissioner and so I have taken the parallel case of the Local Self-Government Act. I hope my amendment will be accepted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I put it to the Council that we are in some danger of making a mountain out of a mole-hill. What is provided in this clause ? After all this clause merely says that if the right of election is given and the election fails, there may either be a second election or an appointment may be made by the district magistrate. Therefore, it is a contingency which should seldom arise, and it will always be within the power of the electors to prevent it arising by exercising their vote and electing their representatives in that way. Therefore, it is a minor point, and I submit that when the Council has just decided that it is preferable to leave ordinary appointments to the district magistrate in place of the district board, it would be rather illogical that in the case of a subsidiary contingency appointments should have to be made by this amazingly cumbrous procedure of appointment by the divisional commisioner out of a panel of double the requisite number, to be nominated by the chairman of the district board in consultation with their vice-chairman, within a time to be fixed by the district magistrate. Surely that is entirely inconsistent with what the Council has decided in connection with other amendments, and it is entirely inconsistent with the object of this clause itself. I therefore oppose this amendment."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"I have already submitted what I had to say and I am not very particular about it."

The motion was then put and lost.

AMENDMENT No. 22.

The following amendment was held to be covered by the decision arrived at on amendment No. 17 and was deemed to be withdrawn :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq, to move that for the word "magistrate" in line 5 of sub-clause (*4*) of clause 4 (now clause 6) the word "board" be substituted.

AMENDMENT No. 23.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, moved that sub-clause *1 (i), 1 (ii)* and *1 (iii)* of clause 5 (now clause 7) be omitted.

He said :—

"My Lord, this is an amendment of which notice was given by my hon'ble friend, Maulvi Fazl-ul-Haq, and I am extremely sorry that he could not attend the Council to-day. He is very keen on this. The object of this amendment is to give every man, resident within the union, a vote, universal suffrage as it is called. We want that at least in the election for a membership of a union board, every man ought to have a vote, whether he pays any tax or not, and the Bill provides that any one paying Re. 1 as chaukidari tax or cess, should be entitled to vote, but under the Local Self-Government Act, the qualification for a voter on a local board election is the same, and I, therefore, submit that in forming union boards, which are purely rural boards, at least every man ought to have a vote. I do not think there will be any objection on the part of the Hon'ble Member or of the House to accept this amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, my objection to this amendment is, briefly, that in the blessed name of democracy it is going too far. It is, in effect, proposing universal suffrage, as the Hon'ble Member says, since it seeks to eliminate the three clauses in which we define what the franchise for these union boards should be. What is the existing position? We are concerned with two bodies—the village chaukidari panchayet and the local self-government union. At present the village panchayet is practically invariably nominated and not elected at all ; therefore we have no experience of how elected members will exercise functions concerning chaukidars. In the case of the local self-government unions, there is a tax-paying franchise which, is not so broad or simple as that which we have in the Bill, which, therefore, is already taking a step in advance, both in respect of the chaukidari panchayets and the self-government unions. I put it to the Council that that progress is sufficiently rapid, and that we should not do wisely now to take a dive into the unexplored sea of one man one vote."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, the Hon'ble Member very confidently urged the motion which he brought on behalf of the Hon'ble Maulvi Fazl-ul-Haq, but I am afraid he overlooked his friends on his right, and he perhaps might have considered whether the amendment which has been moved, would be acceptable to this side of the House. To my mind, it appears that it is democracy run riot. I do not know whether my hon'ble friend is in earnest in proposing that every man in the street should have a vote for returning members to the union board, irrespective of any qualifications, and irrespective of any responsibility. We have not yet come to that state of things and I think it is dangerous to accept this motion even if the Government were prepared to accept it which they would not, as they have not yet been so democratized. I think it my duty to express my views on this matter."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am sorry that the amendment which I moved has neither been accepted by the Hon'ble Member in charge nor by my hon'ble friend

Rai Radha Charan Pal Bahadur. On the other hand, there has been some opposition from the right side of the House, but I do not think by moving this amendment anybody might think that I intended to make democracy run riot. What was intended is that in the village union there should be universal suffrage. I did not ask for that suffrage for district boards and municipalities. The day is not very distant when it is proposed to give a broad franchise to a large number of people, electing members to the legislative councils, and I do not see what objection there can be in the case of union boards now. The Hon'ble Rai Radha Charan Pal Bahadur has said that it is intended to give every man in the street a vote, but those who live in villages and have a stake in villages, quite well understand what is in their own interest and I do not think it will be doing any harm to anybody by giving every man a vote there. I am sorry I have to press this amendment to the vote."

A division was taken with the following result :—

Ayes—5.	*Noes—35.*
The Hon'ble Sir Nilratan Sarkar, KT.	The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, Dr. Abdulla-al-Mamun Suhrawardy.	,, ,, J. G. Cumming, C.S.I., C.I.E.
,, ,, Maulvi Abul Kasem.	,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
,, ,, Khan Sahib Aman Ali.	,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Babu Kishori Mohan Chaudhuri.	,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
	,, ,, Mr. F. C. French, C.S.I.
	,, ,, Mr. J. Donald, C.I.E.
	,, ,, Mr. L. S. S. O'Malley, C.I.E.
	,, ,, Mr. H. P. Duval.
	,, ,, Mr. M. C. McAlpin.
	,, ,, Mr. F. A. A. Cowley.
	,, ,, Col. J. K. Close, M.D., I.M.S.
	,, ,, Mr. W. C. Wordsworth.
	,, ,, Mr. C. F. Payne.
	,, ,, Mr. S. G. Hart.
	,, ,, Khan Bahadur Maulvi Aminul Islam.
	,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.
	,, ,, Mr. R. V. Mansell, O.B.E.
	,, ,, Mr. W. H. H. Arden-Wood, C.I.E.
	,, ,, Mr. Aminur Rahman.
	,, ,, Raja Harishikesh Laha, C.I.E.
	,, ,, Mr. L. V. N. Meares.
	,, ,, Mr. Provash Chunder Mitter, C.I.E.
	,, ,, Babu Siv Narayan Mukharji.
	,, ,, Kumar Shib Shekhareswar Ray.
	,, ,, Mr. Arun Chandra Singha.
	,, ,, Sir Deba Prasad Sarbadhikari, KT., C.I.E.
	,, ,, Rai Debender Chunder Ghose Bahadur.
	,, ,, Rai Radha Charan Pal Bahadur.
	,, ,, Mr. W. E. Crum, O.B.E.
	,, ,, Mr. W. H. Phelps.
	,, ,, Mr. G. A. Bayley.
	,, ,, Rai Sri Nath Ray Bahadur.
	,, ,, Babu Mahendra Nath Ray, C.I.E.
	,, ,, Babu Ambika Charan Mazumdar.

The following Members abstained from voting :—

The Hon'ble Babu Bhabendra Chandra Ray.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.

The following Members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. H. R. A. Irwin, C.I.E
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Mr. Altaf Ali.
" " Babu Surendra Nath Ray.
" " Mr. K. B. Dutt.

The *Ayes* being 5 and the *Noes* 35, the motion was lost.

AMENDMENTS Nos. 24, 25 AND 26.

The Hon'ble Babu Ambika Charan Mazumdar moved that for the words "one rupee" wherever they occur in clause 5 (now clause 7), the words "eight annas" be substituted.

He said :

"This amendment refers to clause 5 (now clause 7) which lays down qualifications of voters and members of union boards. It has been laid down in this clause that the pecuniary qualification of a voter shall be the payment of not less than one rupee as road cess. This also applies to a member of a joint family. I propose that for the words 'one rupee' wherever they occur the words 'eight annas' shall be substituted. I will state certain facts to substantiate my proposition. Hon'ble Members will remember that not long ago a very valuable statement was published by the Government of Bengal with a view to assist the Reforms Committee showing the number of persons who paid one rupee as road cess, two rupees as road cess, and so on. Referring to that statement I find that in a district consisting of 21 lakhs of persons we have barely 50,000 people who pay one rupee as road cess. Now, my Lord, if out of 21 lakhs only 50,000 pay one rupee road cess then we get only a fortieth part of the people registrable for votes. Take, for instance, a union board to be constituted under the present enactment. A union board may consist of a population of 16,000 persons and in that case you have not more than 400 person qualified to vote under this clause. I ask, would that be a sufficient or adequate representation? And from this number too the minors and others are to be excluded. That is a point to be considered. Therefore, I have proposed eight annas instead of one rupee. There is another ground too which I would press for the consideration of the Council and that is this : in local boards you have the one-rupee qualification and I think it stands to reason that the qualification if the union boards voters should be somewhat different from that of the local board members. As a matter of fact I believe that in case of chaukidari tax people are taxed only four annas or six annas. So my suggestion if accepted, would eliminate those persons. And it will not inconveniently swell the number of voters. There is another consideration still under the Road Cess Act—a tenant pays two pice per bigha. And if you insist on the one-rupee qualification then a man must have

at least 32 bighas of land in order to qualify himself as a voter under this clause. I think it is too high a figure. There are not many persons who have got 32 bighas of land. In fact, 16 bighas will be quite enough. For all these considerations I suggest that 'eight annas' may be substituted for 'one rupee'."

The Hon'ble Mr. P. C. Mitter said:—

"My Lord, I have great pleasure in supporting this motion. The recent figures which were published relating to the franchise for the Council show that little over one million will be the total number of voters on the basis of Re. 1 cess for the whole province. Now, my Lord, only 12 millions is our adult male population, that is to say, only one man in 12 will be entitled to vote for the Council election. Now, if we take a village of 1,000 population, that is, accepting the figure which was published by the Government for the Council election, we find by a simple process of arithmetic, out of 1,000 men, 37 will be voters. That, I submit, my Lord will not be desirable, and I venture to think that eight annas, perhaps a lower sum, should be the proper minimum for voting in village union boards."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I also gave notice of an amendment which was identical with that of the Hon'ble Babu Ambika Charan Mazumdar, but I find from the list of business that Babu Akhil Chandra Datta has given notice of an amendment in which he wants it to be changed to six annas. The general impression seems to be that expressed by the Hon'ble Mr. Mitter, that is, that a lower rate should be accepted. I think, my Lord, that these two amendments should be taken together and that Babu Akhil Chandra Datta's amendment should be put first."

The President said :—

"If it would assist to take the two amendments together, I have no objection to the discussion taking place on the amendments now; the amendments, of course, will be put separately."

Amendment No. 26 was then held to be moved and was as follows :—

"That for the words "one rupee", wherever they occur in sub-clause (*1*) of clause 5 (now clause 7), the words "six annas" be substituted."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I have only to say this : as I have already explained the number of voters will be very limited if you put it at Re. 1. If you are not prepared to give universal suffrage—one man, one vote—we should at least give the vote to an appreciable number of people ; therefore I would personally submit, my Lord, that six annas should be the minimum qualification for a man to empower him to vote at an election of the union board, and I hope that this will be accepted by the Council."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this amendment does not go so far as Amendment No. 23, which we have just been discussing, but it goes in the same direction, viz., that of placing on the electoral roll more voters than would be the case under the scheme of the Bill. The scheme of the Bill contemplates a Re. 1 cess qualification, not a Re. 1 road cess qualification, and the suggestion is that it should be an eight annas cess qualification. In framing the Bill we had regard to the existing state of affairs, which, as I have already mentioned, on the chaukidari side gave us no

precedent, or practically no precedent, for election at all, and on the local self-government side gave us the precedent only of a Re. 1 road cess qualification, and we thought that it would be going sufficiently far to take a Re. 1 cess qualification which is less,—in fact half—of the existing local self-government franchise, and therefore meets the point of the Hon'ble Babu Ambika Charan Mazumdar when he argues that it is only reasonable that there should be a lower voting qualification for these village bodies than there is for local boards. The qualification will be lower—it will be a rupee cess in place of a rupee road cess—in other words, half.

Well, as I have said, we thought that that was a sufficient step in advance, and there are practical reasons for not attempting to place the franchise too low, one of which is that the lower it is put, the more the preparation of the electoral roll is complicated, and in these elections (the same is true of the impending change of system of Council electorates) it will be a very serious practical difficulty to get the electoral rolls prepared and brought up to date. Another practical reason for not attempting to go still lower is that clause 5 (*1*) (*i*) now clause 7 (*1*) (*i*) only defines the preliminary qualification, when a union board has first to be created. Once the union board is in being voters will for the most part be qualified under sub-clause (*ii*), in other words by the payment of Re. 1 union rate. On that basis it will be easier to maintain the roll as the taxation papers will be in the union, and it will be easy enough to pick out those who pay a rupee. So that will be the working qualification in all elections subsequent to the first, and I put it to the Council that that is a sufficiently low qualification, especially in a country where the electoral system is new and the effect of a democratic franchise has yet to be seen. A one-rupee payment of the union rate means a payment of a little over one anna a month, and can that be said to be limiting the franchise to the well-to-do to the exclusion of the poor? For that reason I would deprecate the alteration of the franchise as inserted in the Bill. It will bring in the substantial raiyat and, in fact, will bring in anybody of responsible standing in the village."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"Sir, there is serious practical difficulty in the way of our making up our minds whether we should vote for the one rupee or the eight annas limit, and I had hoped that Sir Henry Wheeler would be good enough to give us some facts on which we could make up our minds. We have been told that under the one rupee limit there will be only 50,000 voters out of 20 lakhs and I should like to know what the proportionate increase would be in the number of voters if the amount were reduced to eight annas. This would help many members in making up their minds. The great difficulty in our way is that we do not yet know what the Reform Scheme is going to be based upon. This legislation has been undertaken in spite of protest in some quarters before we know exactly how matters stand in that direction. Suppose it turns out that the Reform Scheme proceeds on the one-rupee basis for the Legislative Council; then it would be a serious anomaly if the same amount was to be fixed for union boards. Having regard to these difficulties, perhaps it would be well for the time being to accept the lower rate and see how things go on. On the other hand, one does realize the practical difficulties which Sir Henry Wheeler has referred to. However, when it is a question of more than doubt it would be safer to take the lower limit, particularly as it is not demonstrated that the acceptance of the lower limit would necessarily double the number of voters or make it very formidable. Some Hon'ble Member was comparing the report of the Universities Commission, with that of the Reforms Committee, the latter took 3 months, whereas the Universities Commission took 18 months in the matter of arriving at a

Sir Henry Wheeler; Sir Deba Prasad Sarbadhikari; The President; Babu Akhil Chandra Datta; Babu Ambika Charan Mazumdar.

quick decision. If the decision was quicker, so far as the Franchise Committee was concerned, we would have known where we stand and might have accepted the higher qualification."

The Hon'ble Sir Henry Wheeler said :—

"Sir, may I refer to the remarks which have fallen from the Hon'ble Sir Deba Prasad Sarbadhikari. They would rather lead to the inference that if Government have not got figures on an eight-anna basis which can be put before the Council, it has been rather guilty of a derilict on of duty."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"Sir, I beg the Hon'ble Member's pardon, I did not make any such imputation."

The Hon'ble Sir Henry Wheeler said :—

"In any case it might be inferred. May I explain in this connection that the collection of figures which we published at the time of the visit of Lord Southborough and his committee to Calcutta, took our officers about six months to compile. It is therefore obvious that it would have been impossible, in the time at our disposal, to have taken in hand a second compilation of figures on an eight-anna basis for the purpose of this amendment."

The President said :—

"As we are taking the discussion on items 24, 25 and 26 together, the Hon'ble Babu Akhil Chandra Datta may like to make his speech now."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, the point has been discussed on both sides, and I do not think I can add anything profitable, but at the same time I do press for your Excellency's acceptance of my amendment No. 26, which is for a six-anna basis."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, Sir Henry Wheeler has no doubt pointed out that in the Local Self-Government Act the qualification is payment of one rupee as road cess, and here we have got the payment of cess as one rupee. But it seems to me that even with that distinction, the amendment which I have moved does not lose its force. As was pointed out by the Hon'ble Sir Deba Prasad Sarbadhikari a lower qualification would not be so harmful as a higher one which might make the representation quite inadequate and Sir Deba Prasad was anxious to know what would be the number of voters if eight annas were substituted. Although we have not got those figures, I think we can deduce it from the figures given in the official statement published some months back.

There I have shown that if a union consists of three or four villages with an aggregate population of 16,000 then under one rupee it would be Rs. 400, but supposing it were half the rate, namely, not one rupee but eight annas, then it would be 800. Would 800 or even 1000 be an adequate representation of 16,000 population—that is my point. So that whatever view you take, I think annas eight ought not to be considered as too low a qualification, and I think if we want to extend the franchise to a reasonable extent among the village population, we should strive to have at least 1,000 people in a union of a population of 15,000 or 16,000 to vote for the election. Under these circumstances I hope that the Government might be induced to accept annas eight for [illegible]"

The President said :—

"I might put amendment No. 26 first so that the Hon'ble Members may have a chance of recording their opinion on it if they wish to do so, and then if No. 26 is not carried I will put No. 24 afterwards."

Amendment No. 26 was then put and a division was taken with the following result :—

Ayes—10.

The Hon'ble Sir Nilratan Sarkar, KT.
" Mr. Provash Chunder Mitter, C.I.E.
" Dr. Abdulla-al-Mamun Suhrawardy.
" Maulvi Abul Kasem.
" Khan Sahib Aman Ali.
" Babu Akhil Chandra Datta.
" Rai Mahendra Chandra Mitra Bahadur.
" Babu Mahendra Nath Ray, C.I.E.
" Babu Kishori Mohan Chaudhuri.
" Babu Ambika Charan Mazumdar.

Noes—30.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" Mr. J. G. Cumming, C.S.I., C.I.E.
" Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" Mr. J. H. Kerr, C.S.I., C.I.E.
" Mr. C. J. Stevenson-Moore, C.V.O.
" Mr. F. C. French, C.S.I.
" Mr. J. Donald, C.I.E.
" Mr. L. S. S. O'Malley, C.I.E.
" Mr. H. P. Duval.
" Mr. M. C. McAlpin.
" Mr. F. A. A. Cowley.
" Col. J. K. Close, M.D., I.M.S.
" Mr. W. C. Wordsworth.
" Mr. C. F. Payne.
" Mr. S. G. Hart.
" Khan Bahadur Maulvi Amin-ul-Islam.
" Sir Rajendra Nath Mookerjee, K.C.I.E.
" Mr. R. V. Mansell, O.B.E.
" Mr. W. H. H. Arden-Wood, C.I.E.
" Mr. Aminur Rahman.
" Raja Hrishikesh Laha, C.I.E.
" Mr. L. V. N. Meares.
" Babu Siv Narayan Mukharji.
" Kumar Shib Shekhareswar Ray.
" Mr. Arun Chandra Singha.
" Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" Rai Radha Charan Pal Bahadur.
" Mr. W. E. Crum, O.B.E.
" Mr. W. H. Phelps.
" Mr. G. A. Bayley.

The following members abstained from voting :—

The Hon'ble Rai Debender Chunder Ghose Bahadur.
" Babu Bhabendra Chandra Ray.
" Rai Sri Nath Ray Bahadur.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" Babu Brojendra Kishor Ray Chaudhuri.
" Mr. F. W. Carter, C.I.E., C.B.E.
" Mr. H. R. A. Irwin, C.I E.
" Mr. M. Ashraf Ali Khan Chaudhuri.
" Maulvi A. K. Fazl-ul-Haq
" Mr. Altaf Ali.
" Babu Surendra Nath Ray.
" Mr. K. B. Dutt.

The *Ayes* being 10 and the *Noes* 30, the motion was lost.

A division was then taken on motion No. 24 with the following result :—

Ayes—15.

The Hon'ble Sir Nilratan Sarkar, KT.
„ Mr. Aminur Rahaman.
„ Mr. Provash Chunder Mitter, C.I.E.
„ Mr. Arun Chandra Singha.
„ Sir Deba Prasad Sarbadhikari, KT., C.I.E.
„ Rai Debender Chunder Ghose Bahadur.
„ Mr. W. H. Phelps.
„ Dr. Abdulla-al-Mamun Suhrawardy.
„ Maulvi Abul Kasem.
„ Khan Sahib Aman Ali.
„ Babu Akhil Chandra Datta.
„ Rai Mahendra Chandra Mitra Bahadur.
„ Babu Mahendra Nath Ray, C.I.E.
„ Babu Kishori Mohan Chaudhuri.
„ Babu Ambika Charan Mazumdar.

Noes—26.

The Hon'ble Sir Henry Wheeler, K.C.I.E. C.S.I.
„ Mr. J. G. Cumming, C.S.I., C.I.E.
„ Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
„ Mr. J. H. Kerr, C.S.I., C.I.E.
„ Mr. C. J. Stevenson-Moore, C.V.O.
„ Mr. F. C. French, C.S.I.
„ Mr. J. Donald, C.I.E.
„ Mr. L. S. S. O'Malley, C.I.E.
„ Mr. H. P. Duval.
„ Mr. M. C. McAlpin.
„ Mr. F. A. A. Cowley.
„ Col. J. K. Close, M.D., I.M.S.
„ Mr. W. C. Wordsworth,
„ Mr. C. F. Payne.
„ Mr. S. G. Hart.
„ Khan Bahadur Maulvi Aminul Islam.
„ Sir Rajendra Nath Mookerjee, K.C.I.E.
„ Mr. R. V. Mansell, O.B.E.
„ Mr. W. H. H. Arden-Wood, C.I.E.
„ Raja Hrishikesh Laha, C.I.E.
„ Mr. L. V. N. Meares.
„ Babu Shiv Narayan Mukherji.
„ Kumar Shib Shekhareswar Ray.
„ Rai Radha Charan Pal Buhadur.
„ Mr. W. E. Crum, O.B.E.
„ Mr. G. A. Bayley.

The following members abstained from voting :—

The Hon'ble Babu Bhabendra Chandra Ray.
„ „ Rai Srinath Roy Bahadur.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
„ Babu Brojendra Kishor Ray Chaudhuri.
„ Mr. F. W. Carter, C.I.E., C.B.E.
„ Mr. H. R. A. Irwin, C.I.E.
„ Mr. M. Ashraf Ali Khan Chaudhuri,
„ Maulvi A. K. Fazl-ul-Haq.
„ Mr. Altaf Ali.
„ Babu Surendra Nath Ray.
„ Mr. K. B. Dutt.

The *Ayes* being 15 and the *Noes* 26, the motion was lost.

Maulvi Abul Kasem; Babu Akhil Chandra Datta: Sir Henry Wheeler; Rai Radha Charan Pal Bahadur.

The following motion was then deemed to be withdrawn.

The Hon'ble Maulvi Abul Kasem to move that for the words "one rupee" wherever they occur in clause 5 (now clause 7), the words "eight annas" be substituted.

AMENDMENT No. 27.

The Hon'ble Babu Akhil Chandra Datta moved that the word "male" in line 1 of sub-clause (*1*) of clause 5 (now clause 7) be omitted.

He said:

"My Lord, I shall propose to give my reasons in the words of the District and Sessions Judge of Mymensingh: 'Some well-to-do ladies will otherwise be excluded. Many women of all classes will be tax-payers. Some female voters would be more educated than some male ones, while no female voter would be less educated than some male ones'."

The Hon'ble Sir Henry Wheeler said:—

"My Lord, we have already had one amendment dealing with universal suffrage, and in order to be thoroughly fashionable and up-to-date we now have an amendment dealing with female sufrage. The question of female suffrage has loomed very large recently in the annals of the West. It has led to a good deal of disturbance and to a certain amount of window-breaking and policeman-hitting and various other unfeminine acts, but the vote has recently been conceded to women as one of the changes brought about by the war. Personally, I think that in the circumstances of the West the wisest course has been taken. But as matters stand at present in the East things have not yet arrived at a point—I purposely do not say *advanced* to a point—at which it would be well to put this change in a Bill of this kind. In fact, another amendment, which stands in the name of the same Hon'ble Member, supplies an effective answer to his proposition, namely, No. 36, which says: 'provided also that all female voters shall be entitled to vote through their agents holding powers of attorney.' If, Sir, circumstances are such that it will be impossible for many ladies, under the social usages governing them, to record their votes in person, there exist practical and valid objections which merit the consideration of this Council before adopting a proposal of this kind."

The Hon'ble Rai Radha Charan Pal Bahadur said:—

"My Lord, I must publicly acknowledge my sense of gratitude to my hon'ble friend, Babu Akhil Chandra Datta, and my admiration for his chivalry in moving this amendment. I do not know, my Lord, what arrangement he has in view to suggest to Government to provide for the voting of *pardah-nashin* ladies. I do not know whether he really intends to press the amendment which stands in his name, and if he does, what arrangements he proposes to make for the recording of votes of *pardahnashin* ladies. I do not know and I should like to be enlightened—whether voting is to be by person or proxy. If it is to be by person, I do not think there will be any advantage in accepting this amendment, because not even one per cent. of the *pardahnashin* ladies who are entitled to vote would come forward to the polling station to record their votes.

There is another point: I do not know, although we are all crying for reforms in every direction and we are all anxious that reforms should be introduced not only in the legislature but also in the executive and administrative bodies, whether we have yet come to that stage of education even among the

male population in this country that franchise should be extended to female population. I believe, my hon'ble friend will pardon me if I say that it will be simply ludicrous."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I had not intended to speak on this amendment, but certain observations of my hon'ble friend, Rai Radha Charan Pal Bahadur, lead me to say something. There are no doubt practical difficulties in the way of *pardanashin* ladies otherwise qualified, but it ought to be borne in mind that we are legislating not only for the stronger sex but for the weaker sex as well, and it seems to me to put a bar upon the weaker sex—depriving them of the franchise in the formation of these union boards is going rather too far. Some may avail themselves of the permission if you choose to give the permission. If you choose to do away with the bar against the female sex that stands in the Bill, there may be ladies who might be willing to record their votes at the election. Why put a bar against them? I may mention that in the Presidency of Bombay and in the United Provinces there is no distinction of sex as regards voters, and ladies are equally entitled to vote in municipal elections as gentlemen. That being so, I think we might be a little fair to the weaker sex if we take away the present embargo. I may be permitted to mention one thing. In connection with the pending Calcutta Municipal Bill the Corporation has passed a resolution suggesting an improvement in the matter of voting powers. They have recommended that the distinction of sex in voting qualifications should be taken away as regards the City of Calcutta. I am merely mentioning these facts with a view to show that it would do no harm if you take away the distinction in the matter of election to the union boards."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, this is a point upon which arguments can reasonably be advanced on both sides. Although female education in this country has not advanced so far as to justfy us in giving this franchise to the female, but in all fairness it may be pointed out that there are some lady zamindars who are more educated and otherwise more capable than, possibly in some cases, the rest of the villagers. They can resaonably complain and say why should not they have any right of franchise, especially when they are the proprietress of their estates and property in the absence of male proprietors. There are widow zamindars, for instance. So in these cases there may be some hardship. As regards the arrangement for the recording of votes of *pardanashin* ladies who would not come forward to give their votes by person I have suggested an agency in my amendment No. 36 where it is said that all female voters shall be entitled to vote through their agents holding powers of attorney. Besides, from the very fact that we give them the right of franchise, it does not follow that they are bound to vote. It is quite optional to them to vote or not—they may exercise their right or not. I have been asked by the Hon'ble Rai Radha Charan Pal Bahadur to express my real wish with regard to this motion. My real position is simply this : I am not absolutely keen about this matter, but at the same time I find that there are some people who want that the females should vote and I find that their opinion is held in some responsible quarters, such as the District and Sessions Judge of Mymensingh. I, therefore, thought it only proper that the matter should be brought up for the consideration of the Council. I am not myself extremely keen about it."

The motion was then put and lost.

AMENDMENT No. 28.

The Hon'ble Babu Akhil Chandra Datta moved that after the word "residence" in line 2 of sub-clause (*1*) of clause 5 (now clause 7) the words

He said :

"Now, my Lord, I need not say much on this point. I had in view the case of those persons who have a place of business in a certain village or within the jurisdiction of a certain union board, at the same time they may not have a place of residence there. This is a class of case in which I think there may be some hardship unless the words 'or business' be inserted after the word 'residence'."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this is a small amendment and in answer to it I may merely explain the motives which actuated the Select Committee. The main principle upon which we proceeded was that the electors for these union boards should be people who are living in the villages and having a real genuine interest in the proper conduct of their affairs. The Council will remember that in the Bill, as we first amended it, we proposed to give the vote to persons resident within the union, and we defined what we meant by saying that 'resident' meant 'ordinarily resident', *i.e.*, people who habitually live in the union and do not merely visit it at intervals. However, when we re-examined the Bill, judging by the amendments of which notice had been given, we found that there was a certain amount of opinion that the clause was too restrictive, since there might be people who might not be residents in the sense defined, but who, having places of residence within the union, might be deeply interested in its affairs Therefore, recognizing that feeling, we altered the phrase to what it now is, *i. e., having a place of residence.* We enlarged it, therefore, in the sense of what seemed to be the feeling of the Council. Now, the Hon'ble Member asks that we should insert the words 'or business'. I would deprecate the change, although it is a small one, as ordinarily a man who possesses a place of business of any moment will have residing at it a *gomastha* or a servant who will be able to exercise the vote. There may again be cases of temporary businesses which might give rise to complications, such as the shop-keeper who comes once a week to the *hât* and puts up his shop or stall under a tree. It might be said that as he had a place of business he was entitled to vote, as presumably he would be if he also paid the minimum taxation laid down. But I do not think it would be very desirable to give him a vote. Therefore, for these reasons, and also on the ground that it is wider than the existing rule governing elections to the local self-government unions, which requires a voter to be 'resident' in the sense of our original Bill, I would prefer not to accept the amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I support this amendment which has been moved by my hon'ble friend, Babu Akhil Chandra Datta. I do not know why a simple amendment like this is not accepted by Government. It is only the addition of the words 'or business' after the word 'residence'. A man who has got a place of business and who also pays one rupee cess, I think, may very fairly claim the right of voting in that area because he has at least some interest in the area as regards conservancy, water supply and other matters for which the union board will be responsible. I think in this matter at least we will have the support of the non-official European members. In the Calcutta Municipality as well as in the mufassal municipalities the legislature makes provision for a place of business in certain areas, and why should the right of voting be now denied to those who have places of business within the union area. They are equally interested in the sanitation and improvement of that area, and I think it is reasonable and fair that they should have the right and voice in selecting a representative on the board. Further, it has been stated, and which has not been controverted

by facts and figures, that the number of voters is very limited even if you prescribe 8 annas which has been rejected as the minimum rate. I think the people who have a place of business will not add very greatly to the list of voters, and I think in these days of enlarged franchise we ought to extend the power of voting to persons who have a place of business, and it is to be remembered, not merely to persons who have a place of business but who pay cess not less than one rupee."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, there is one class of people in this country whose interest was really intended to be safeguarded by this amendment. In most parts of the country there are people who come and do their business in boats. For instance, there is a big *bazar* in the district of Mymensingh, namely, Bhairab, where a large number of men carry on business and they are interested in the regulation of traffic and many other questions which will have to be decided by the union boards. They are very wealthy people doing business who have a place of business there but who have not a place of residence. It is only fair to these people that they should have the right to vote."

A division was then taken with the following result :—

Ayes—17.

The Hon'ble Sir Nilratan Sarkar, KT.
" Raja Hrishikesh Laha, C.I.E.
" Mr. Provash Chunder Mitter, C.I.E.
" Kumar Shib Shekhareswar Ray.
" Mr. Arun Chandra Singha.
" Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" Rai Radha Charan Pal Bahadur.
" Mr. W. H. Phelps.
" Dr. Abdulla-al-Mamun Suhrawardy.
" Maulvi Abul Kasem.
" Khan Sahib Aman Ali.
" Babu Bhabendra Chandra Ray.
" Babu Akhil Chandra Datta.
" Rai Mahendra Chandra Mitra Bahadur.
" Babu Kishori Mohan Chaudhuri.
" Babu Ambika Charan Mazumdar.
" Rai Debender Chunder Ghose Bahadur.

Noes—26.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" Mr. J. G. Cumming, C.S.I., C.I.E.
" Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" Mr. J. H. Kerr, C.S.I., C.I.E.
" C. J. Stevenson-Moore, C.V.O.
" Mr. F. C. French, C.S.I.
" Mr. J. Donald, C.I.E.
" Mr. L. S. S. O'Malley, C.I.E.
" Mr. H. P. Duval.
" Mr. M. C. McAlpin.
" Mr. F. A. A. Cowley.
" Colonel J. K. Close, M.D., I.M.S.
" Mr. W. C. Wordsworth.
" Mr. C. F. Payne.
" Mr. S. G. Hart.
" Khan Bahadur Maulvi Aminul Islam.
" Sir Rajendra Nath Mookerjee, K.C.I.E.
" Mr. R. V. Mansell, O.B.E.
" Mr. W. H. H. Arden-Wood C.I.E.
" Mr. Aminur Rahman.
" Mr. L. V. N. Meares.
" Babu Siv Narayan Mukharjee,
" Mr. W. E. Crum, O.B.E.
" Mr. G. A. Bayley.
" Rai Sri Nath Ray Bahadur.
" Babu Mahendra Nath Ray, C.I.E.

The following members were absent :—

The Hon'ble Nawab Bahadur of Murshidabad.
„ Babu Brojendra Kishor Ray Chaudhuri.
„ Mr. F. W. Carter, C.I.E., C.B.E.
„ Mr. H. R. A. Irwin, C.I.E.
„ Mr. M. Ashraf Ali Khan Chaudhuri.
„ Maulvi A. K. Fazl-ul-Haq.
„ Mr. Altaf Ali.
„ Babu Surendra Nath Ray.
„ Mr. K. B. Dutt.

The *Ayes* being 17 and the *Noes* 26, the motion was lost.

At this stage the Council adjourned for lunch.

AFTER LUNCH.

AMENDMENT No. 29.

The Hon'ble Babu Ambika Charan Mazumdar moved that after sub-clause (*1*) (*ii*) of clause 5 (now clause 7) the following be inserted, namely :—

"(*iia*) who is a teacher in any high English, middle English or middle vernacular school within the union, or".

He said :

"My Lord, clause 5 (now clause 7) lays down the qualification of voters, but this clause does not include a very important class of people who play a very significant part in village life ; I mean the school-masters. They are the most intelligent and public spirited people in the village, and they may not even come under clause 5 (now clause 7) unless in their own capacity as teachers they are allowed to come in as voters, and I therefore propose this amendment. These people are very useful and in fact even on union boards they will play a very important part. I think they ought to be included in the list of voters. It may be that they may reside in another gentleman's house, as most of them do, and may not pay any chaukidari tax or road cess because they come from distant places, but they may reside in a village for more than ten months, and I think that they ought to be admitted to these union boards if these boards are to be successful in their operation."

The Hon'ble Sir Henry Wheeler said :—

"This amendment, Sir, is the first of six which follow, and which are all framed on somewhat similar lines, that is to say, they are all designed to add to the simple property qualification which is at present in the Bill, what I may call fancy qualifications, derived from miscellaneous tests of sorts other than the simple taxation qualification which is covered by clause 5 as it now stands. In reference to all these six amendments there are certain general considerations which I may now briefly state and which apply to all, and if I mention them now, it will avoid repetition later. In principle, all these kinds of special electorates are in a sense non-democratic, and they date, rather, from a time when a low property qualification was not in force. Even in those Acts which may be cited as authority, the precedents do not go so far as some of the amendments that have been filed in connection with this Bill, but it is true that in the franchise for local boards, one qualification is that of being a graduate or a licentiate of a University, or a holder of a certificate as a medical practitioner, or a pleader or a mukhtear. But the Local Self-Government Act was originally an Act of

1885, and the Municipal Act, in which there is a somewhat similar qualification, was an Act of 1884. So both these precedents are old, and I do not think they are altogether appropriate to modern conditions as effecting the present Bill. There is a great advantage in having a simple qualification. We must remember that these elections will, after all, be small affairs. The union board is not a very big body, and its functions cannot be viewed as very world-wide : they are essentially local, and the whole thing will be in the hands of simple people who are to be given a certain amount of control over their own affairs. Therefore the simpler the elections can be kept the better, and a simple qualification of low taxation, such as the Bill contains, is clear and definite, and is in conformity with what is the usual franchise practice in other countries where elections prevail. The usual scheme of suffrage is that of a property qualification, which is usually higher to begin with and lowered gradually in the course of successive reforms. That is what we have done here. We had a higher property qualification in the Act of 1885, and we have made it lower here, and I think we would be ill-advised to complicate it by going back to the old system of special electorates. Neither do the precedents bear the Hon'ble Member out in his present amendment. In neither of these two Acts can I find any precedent for inserting teachers of high English or middle vernacular schools among qualified voters. Therefore the amendment is a new embroidery on the two precedents which I have cited, and after all, is it unreasonable to expect from a voter the low cess qualification which will be in force at the first election, while as I have already said, after the first election, anybody will be able to vote who pays Re. 1 a year to the union board. Again, even at the first election this cess qualification, about which we have had some discussion to-day, will not be the only one in force, as equally at the first election a Re 1 chaukidari tax qualification will be valid, and if a teacher of one of the schools of the kind enumerated has not paid the small sum of Re. 1 as chaukidari tax in a year, I really do not think he is particularly deserving of the franchise. As a matter of fact, he is almost certain to be able to put in a claim to vote under the existing provisions, and I would deprecate, either in this case or in those that follow it, adding special qualifications which are now somewhat out of date, and which will merely complicate the franchise as designed in the Bill."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, let us not forget the actual conditions under which the villages are situated and in which we are going to give effect to this matter. In the first place, a person having an ordinary place of residence in the union will be entitled to be a member. In most villages, educated, public spirited, and competent men live away from their houses, so they do not come in. Thus, in the villages there are the school-masters of a number of middle English and vernacular schools. If you also exclude them, then who are to form the union board and discharge its functions? Very important duties are imposed under this enactment upon the union board—first, to preserve and maintain the conservancy and sanitation in the villages, secondly, to form the criminal court of the union, and thirdly, they are to administer civil law in certain classes of suits. All these require some sort of intelligence, some sort of public spirit, and some amount of sacrifice. If you exclude the teachers who ordinarily reside in the villages, I shudder to contemplate what will be the ultimate effect of this enactment. Who are to form the boards, who are to discharge these functions? and in this view I think it is the intention of Government to work out successfully this important measure to see that sufficient scope is given for the application of the Act, and for its successful working—in this view I think, whatever may be urged on the other side, the school teachers ought to come in if we at all hope to succeed in working out this measure for the benefit of the people."

The motion was then put and lost.

Rai Mahendra Chandra Mitra Bahadur.

AMENDMENT No. 30.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that after sub-clause (*I*) (*iii*) of clause 5 (now clause 7) the following be inserted, namely :—

"or

(*iiia*) who, during the year immediately preceding the election, has paid a license-tax in respect of a trade, calling or industry carried on within the limits of the union, or

(*iiib*) who, during the year immediately preceding the election, has paid an income-tax, or

(*iiic*) who has passed the middle vernacular or middle English examination, or

(*iiid*) who has passed any title examination recognized by Government, such as the *tol* examination or the final examination of a madrassa, or

(*iiie*) who has passed the entrance or matriculation or any higher examination of any University, or

(*iiif*) who is a licentiate of any University, or holds a certificate as a pleader or mukhtear or revenue agent or a medical practitioner registered under the Bengal Medical Act, 1914, or an overseer".

He said :

"My Lord, my amendment covers a wider field. It can be divided into two parts. First, I think that educational qualifications ought to be considered, and secondly, I think that those who pay income-tax or license-tax or a trade tax ought to be included in the list of voters. My Lord, I am perfectly aware of the provisions of the Bengal Local Self-Government Act. Question after question is asked in the Council regarding the election rules, and the opinion of the Advocate-General was taken on the subject, but, inasmuch as his opinion was that the provisions of section 15 were rather restricted, the view taken by some of the non-official members was not accepted. Now that we are getting a fresh legislation, on the subject, is it not necessary for the Council to consider whether all those defects which appear in the Bengal Municipal Act should be removed by this legislation. The word 'occupy' in section 15 of the Bengal Municipal Act was a great obstacle to allowing men possessing educational qualifications to come in, but no such defect will occur here. The question, therefore, can be summed up in this way, viz., whether those who have got educational qualifications are entitled to be included in the list of voters or not. My Lord, those who are aware of village life will agree with me that to ensure success of the provisions of the Bill, it is necessary that some intelligent men who can lead society, who can lead the cultivators, ought to come in in the union boards as well as sit in village courts. Now, the Bill prohibits the legal practitioners from working in village courts ; he is not allowed to come in. If the Bill proposes that intelligent men bearing educational qualifications ought not to come in, what will be the condition of things? The Bill requires that from among the members of the union boards, benches are to be established, and consequently it is highly necessary for the interests of the cultivators who reside there that there should be some people who can form the intelligent portion of the court or bench. There should be some provision to this effect. Let us take into consideration the case of a medical practitioner. In villages there are medical practitioners who may not hold any land but practice all the same in that locality. Are we to be told that these medical practitioners are to be excluded from the scope of the Bill? Let us take another instance, the pleader who goes from one place to practise in a neighbouring court. Is he to be told that he cannot sit in the union board or on the bench? Let us take also into consideration the case of a voter who has many sons, all graduates of the Calcutta University ; the Bill lays down that only one member of a joint family is to be enlisted as a voter. My Lord,

injustice will be done to these persons who are graduates of the University, but who are not entitled to be members of the board or the bench. It is said that this Bill is a simple one, therefore, the cultivator who pays cess and union rates are only to be enlisted as voters. I submit in respect to that, that if the Bill comes into operation by the light of the observations contained in the Bill, the success of the village local self-government is at an end. Unless you put forward men who are capable to sit as judges in the bench and the court, as active members of the union boards, I am almost sure the cultivators, simple as they are, will not be in a position to maintain the dignity of the board or the dignity of the bench. In this view of the matter I thought that it was high time that we should come before your Excellency's Government and explain how matters are, and it is my strong impression that if this view be accepted by Government the result will be a success. Your Excellency will also consider this, that supposing the scope of the Bill is limited, then you allow those who pay cess or union rates to sit as members of the board, or to appear in the list of voters. I suppose, My Lord that your Excellency will have to import men from other quarters in order to make the bench or the court sufficiently strong. I need not reiterate my views, for proposing what have been called fancy qualifications. I do not question the character of the Bill, but I am deeply concerned with the success of the provisions of the Act, and in this view I do strongly submit to your Excellency that Your Excellency should press the Council to consider the amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I have already put before the Council certain general considerations bearing on amendments of this type, and I would like them to be considered as applicable in answer to this amendment also. But, before proceeding to details, I would strongly combat the misapprehension that might be conveyed by the Hon'ble Member's speech that under the franchise in the Bill, as it now stands we are excluding the educated classes. The Hon'ble Member asks us with all seriousness what is to happen to the pleader, the mukhtear, the graduate and the medical practitioner under the franchise as we have framed it in the Bill. My answer is that the graduate, the pleader, or the medical practitioner has merely got to pay a fraction over an anna a month as a contribution to the funds of the union board in order to be a voter for it, and if, with all his high professional qualifications, he is not able to pay that infinitesmal sum, I submit that he has very small claim to our consideration. It is often alleged with reference to chaukidari assessments, that those who ought to pay do not always pay, but I cannot believe that the defects in the Chaukidari assessments are carried to such an extent that the professional classes, on whose behalf the Hon'ble Member has addressed us so eloquently, do not pay even the small sum which qualify them to be voters under the Bill. As regards the details of the proposal in the Hon'ble Member's amendment they are rather a curious mixture; he seems to have made search in various Acts and picked out some analogies for his present purpose, while, for the rest, he has got them out of his own head. Thus, when we come to his first qualification, that of paying license-tax in respect of a trade, etc., he has apparently gone to section 9(2) (*b*) of the Local Self-Government Act of 1885, but the license-tax there mentioned is now out of date. In his second qualification, he comes to the payment of income-tax, which he has taken apparently from the Municipal election rules. But surely if a man pays income-tax, it follows, almost as a matter of course, that he can pay the small sum per month which will qualify him as a voter for the union board. The third test, that of passing the middle English or vernacular examination, is entirely a new one, and the Council will observe to what a very low educational level it comes. It cannot be seriously contended that the middle English or the middle vernacular is a very high standard for a man exercising this franchise. Even in the Local

Self-Government Act the educational franchise does not go below graduates, and the Municipal rules only go down to the Intermediate Arts standard. His fourth qualification is very curiously worded. He says that those who have passed any title examination, such as the *tol* examination or the final examination of a *madrassa*, should be entitled to vote. I am not quite clear what he means when he refers to *tols* and *madrassas*, for which I cannot find any precedent in other Acts, and the whole thing is vague in the extreme. His fifth test is the passing of the entrance or the matriculation or any higher examination of a University. It, therefore, overlaps in a very curious way his third one, which was the middle vernacular or middle English examination, and surely the entrance examination of the University is not a very high standard. His last qualification is apparently based on the Municipal rules, but he has omitted an important item in that precedent which was that of a property qualification, in addition to the educational qualification, and he has put in a curious reference to an overseer, regarding which I am not quite sure what he means. Therefore, I think that, even as they stand, the amendments are defective; they are not supported by precedent, and they are not justified by the main argument which the Hon'ble Member has used, namely, that unless we insert them in the Bill we eliminate the educated classes from the list of voters. On the contrary, we wish to bring them in, and I submit that they can usually be brought in by the payment of the very low taxation which the Bill proposes."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I do not wish to give a silent vote on this matter, but I wish to say that I have listened with very great attention to the speech of the Hon'ble Mover, whom it has always been my pleasure to support. I have paid a little attention to the other clauses of the Bill, and although I have listened with very great attention to his very eloquent speech I must say that I have gone into many of his points as far as I could, and find on a reference to the several clauses of the Bill that his points will not stand very close examination. My hon'ble friend wants that medical men, lawyers, graduates and under-graduates and teachers should all be voters, but I find that in clause 38 (now clause 37) of the Bill there is a provision that anyone who pays a union rate of Re. 1 will be entitled to vote whatever he may be. If a man does not pay this rate, even if he is a resident, I do not think he has any claim to sit on the union board as a representative. The Hon'ble Member also wants to add another qualification over and above the residential qualification, in one case, *i.e.*, he will give a vote to the man who is paying a license tax, but in such cases the man generally pays an income-tax and, of course, an union rate. If so, he will be entitled to a vote, but if he is not a resident there, it is not desirable to have him even when he pays a cess rate or the union rate. He should be a resident there. I need not enter into the question at all. It will be otherwise spoilt by this amendment. I would like to include business in the category, and unless the clauses are added together, I do not see my way to vote for this amendment."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I am not quite clear in regard to one thing. Is it possible that irrespective of property qualification, if a man pays down a rupee for the union rate he will be entitled to vote? If that is so, everything that the Hon'ble Sir Henry Wheeler has said will hold good. If it is not so, we must stand out for educational qualification which is no new departure. It has already been recognized in the Municipal Acts, as has been pointed out by the Hon'ble Sir Henry Wheeler; and in dealing with this matter we ought not to depart from this principle. If it is quite clear that the payment of one rupee independent of property qualification would entitle a person to vote, I think we ought to enact some of the clauses here. My difficulty in supporting the whole of the amendment is that this amendment is a somewhat curious mixture of the kind pointed out by the Hon'ble Sir Henry

Wheeler. For example, when it talks of licentiates of any University the framer forgets that the Calcutta University gives no licenses in these days. And if you fix the matriculation standard you bring down the qualfication lower than that indicated by the other clauses. That is, however, a matter of detail. One advantage or disadvantage of having this legislation now is that we are considering in advance as to what will happen to the Reform Scheme, *i.e.*, whether merely property qualification or educational qualification also should come in. The educational qualification is already in our existing Municipal Act, and I do not see why it should be taken away in connection with the new machinery without any adequate reason. I would partially support the principle of the amendment so far as the educational qualification is concerned."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, the amendments that follow after the one that has been moved by the Hon'ble Rai Mahendra Chandra Mitra Bahadur are on the same lines. I have given notice of one of them. My idea was not to include in the list of voters all men, University graduates, under-graduates or matriculates and finally passed students of *madrassas* or *tols* even if they pay the union rates : but my object was to include in the list of voters those people who will not be entitled to pay the rates as such just as the Hon'ble Sir Deba Prasad Sarbadhikari has pointed out. There must be some rule that if he does not occupy a separate holding he will not be entitled to vote. The people whom I had in mind were the sons of gentlemen who hold property in their own name. Adult children and grandchildren of gentlemen living in the village would not be entitled to vote neither to pay taxes or rates. As regards independent men living by themselves I do not think the union committee will ever exempt them from paying the taxes and they will be the last persons to be let off without paying the rates. But those who live with their fathers and the property is held in the name of their fathers or mothers, they will not be entitled to vote ; and my object—and it was the object of my friend—to include in the list of voters all qualified persons, *i.e.*, those resident of the union who are graduates or have educational qualifications but live with their parents and have no property of their own. I think that if any means could be found to include them I would be glad to accept them. But I would like to submit that their inclusion would not increase the number of voters very much as their number will be very limited. That is why I insist upon their being included."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, a certain amount of misapprehension may possibly have been caused by my somewhat loose use of the term 'property qualification'. I used the expression in order to differentiate between these educational standards which are mentioned in the amendment and the scheme of the Bill. But perhaps the more accurate term would be tax or rate-paying qualification. Under clause 38 (now clause 37) of the Bill, a union board shall impose yearly a rate on the owners or occupiers of buildings. That is, modelled on section 14 of the Chaukidari Act, which says that all owners or occupiers of houses in any village and any person who has within such village a *cutcherry* for collecting rents, shall be liable to assessment for the purposes of the Act. I think that it is known to all that many people pay chaukidari tax who are not in any sense propertied men."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, in reply I beg to invite the attention of the Hon'ble Member in charge to clause 39 (now clause 38) of the Bill. The rate to be imposed by union boards under clause 38 (now clause 39) shall be an assessment

according to the circumstances and the property within the union of the person liable to pay the same. Supposing a gentleman who has got educational qualifications has no property, then he is not required to pay the rate and he cannot be assessed. I refer to clause 5 (now clause 7) which lays down that the payment of a cess is a qualification of a voter. Suppose a gentleman possessing an educational qualification does not pay cess at all, then he is not and cannot be enlisted as a voter. For this reason I say that independent of the payment of union rates or the cess those persons who have got educational qualifications ought to be enlisted as voters, and the reason is plain. I think it is necessary that the Hon'ble Members should consider that the rate-paying or tax-paying qualification ought not to be the only qualification for being enlisted as voters. Therefore, in this view of the matter I thought it necessary to press my amendment for the consideration of the Hon'ble Members. The same fault appears in the Bengal Municipal Act, although an attempt was made in this Council to have it modified, but the difficulty arose on account of the provisions in section 15 of the Bengal Municipal Act, and although resolutions were put before the Council, Lord Sinha could not find his way on the face of the difficulties which were pointed out to him to modify it. Now that this Bill is going to be law I appeal to the Legislature to consider whether these difficulties can be overcome. In that sense, I have brought it to the notice of your Excellency's Council, or else the same difficulty will be felt hereafter."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, may I add one word with reference to clause 39 (now clause 38), to which the Hon'ble Member has made reference now for the first time? I might explain that the words there used—'an assessment according to the circumstances and the property'—are modelled upon section 15 of the Chaukidari Act, 1870, which refers to an assessment according to the circumstances and the property to be protected of the persons liable to taxation. That, in no sense requires that the people assessed should be owners of property; a cursory glance at any village chaukidari assessment roll will show that the panchayet taxes men in view of their circumstances, whether they are daily labourers, artisans, pleaders, school-masters or what not. In the same way pleaders or professional men of any kind who occupy a building will be assessed under the Bill according to their circumstances. I have already mentioned that a person need only pay the very low assessment of slightly over one anna per month in order to qualify for a vote."

The motion was then put and lost.

AMENDMENT No. 31.

The following motion stood in the name of the the **Hon'ble Maulvi Abul Kasem,** that after sub-clause (*1*) (*iii*) of clause 5 (now clause 7) the following be inserted namely :—

"or

(*iiia*) who has passed the middle English or middle vernacular examination, or

(*iiib*) who has passed the sanskrit *tol* examination or the junior madrassa examination recognized by Government, or

(*iiic*) who has passed any University examination, or

(*iiid*) who holds a certificate and license as a pleader, mukhtear or revenue agent or as a medical practitioner registered under the Bengal Medical Board."

He said :

"I think that this amendment has been disposed of after the discussion which has taken place on the previous one, and I do not think that I shall be in order in moving this amendment."

The motion was then deemed to be withdrawn.

AMENDMENT No. 32.

The following motion stood in the name of the **Hon'ble Babu Akhil Chandra Datta,** to move that after sub-clause (*1*) (*iii*) of clause 5 (now clause 7) the following be inserted, namely :—

"or

(*iiia*) who, during the year immediately preceding the election, has paid a license-tax in respect of a trade, dealing or industry carried on wholly or in part within such union, or

(*iiib*) who, during the year immediately preceding the election, has been possessed of a clear income from any source of not less than Rs. 120, or

(*iiic*) who is a graduate, under-graduate or matriculate or is a sanskrit title-holder or has passed the *tol* final examination or middle English or middle vernacular scholarship examination, or the normal school or madrassah school examinations, or the final examination from a recognized medical school and who ordinarily resides within such union."

The President said :—

"I think that this amendment is covered by the discussion of the previous amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, there are three parts of this amendment, the first part of which is covered by the amendment that has already been disposed of, viz., No. 31. Part 2 is, however, new which says :—

'who, during the year immediately preceding the election, has been possessed of a clear income from any source of not less than Rs. 120'.

I press for this portion. This is really a reproduction of section 9 (*1*) (*c*) of the Bengal Local Self-Government Act of 1885. As regards the third portion, I think that it is also disposed of. I shall, therefore, confine myself to the second portion."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I will not repeat the general considerations on which I deprecate the acceptance of this amendment, but will only refer to the clause which the Hon'ble Member still wishes to press, *namely*, the possession of an income from any source of not less that Rs. 120. The Hon'ble Member claims the precedent of section 9 (*2*) (*c*) of the Local Self-Government Act; but I may point out that in that section the figure is Rs. 240, which, for some reason unexplained, he has halved. But, apart from that, anybody possessing a clear income of Rs. 10 a month would under the customary procedure of village assessment be asked to pay the minimum amount of Re. 1 which would qualify him to be a voter."

The Honb'le Babu Akhil Chandra Datta said :—

"My Lord, I have seen that in the other Act the figure is Rs. 240, but I have advisedly reduced it in order that we may have more men to serve on the union boards. That was the consideration which influenced me in reducing the amount."

The second part of the motion was then put and lost.

Kumar Shib Shekhareswar Ray; Babu Kishori Mohan Chaudhuri; Maulvi Abul Kasem; Babu Akhil Chandra Datta; Sir Henry Wheeler.

AMENDMENTS Nos. 33 and 34.

The following motions were then deemed to be withdrawn :—

The Hon'ble Kumar Shib Shekhareswar Ray to move that after sub-clause (*1*) (*iii*) of clause 5 (now clause 7) the following be inserted, namely :—

"or

(*iiia*) who is a matriculate of an Indian University or has passed the final examination of the State Medical Faculty, the Board of Sanskrit examination or the Government madrassas."

The Hon'ble Babu Kishori Mohan Chaudhuri to move that after sub-clause (*1*) (*iii*) of clause 5 (now clause 7) the following be inserted, namely :—

"or

(*iv*) who has passed the matriculation examination of an Indian University, or any other examination equivalent to the same, or the final examination of any senior madrassa recognized by Government, or any title examination in sanskrit recognized by Government, or any examination under the State Medical Faculty of Bengal or of any other Provincial Government in British India."

AMENDMENT No. 35.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, withdrew the following motion with the permission of the President, viz.,—

"that the proviso to sub-clause (*1*) of clause 5 (now clause 7) be omitted."

AMENDMENT No. 36.

The following motion was held to be covered by the decision on amendment No. 27 and was deemed to be withdrawn :—

The Hon'ble Babu Akhil Chandra Datta to move that after the proviso to sub-clause (*1*) of clause 5 (now clause 7) the following be inserted, namely :—

"Provided also that all female voters shall be entitled to vote through their agents holding powers of attorney."

AMENDMENT No. 37.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "every person" in line 1 of sub-clause (*2*) of clause 5 (now clause 7) the words "every literate male person" be substituted.

He said :

"My Lord, the object of this amendment is that the members of union boards should be literate."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this amendment, as the Hon'ble Member has just said, would make literacy a test of membership of the union board. In so doing, it would follow a precedent which is in the Local Self-Government election rules, though on the other hand, it is not in the Municipal rules. We may therefore say that the precedents are divided. The amendment is unexceptionable in so far as we want the people who are going to be members of the board to be men of capacity, which to some extent, is indicated by literacy, but I would invite the attention of the Council to certain remarks which were made

by the District Administration Committee which considered this matter, and was influenced by the opinion of two of its members who were closely connected with Eastern Bengal. They wrote :—

'The objection has been taken that there will not be men in all unions sufficiently qualified to undertake the duties that we are proposing for the panchayets, but we think that in this matter there is a tendency to look too much to education and too little to personal qualifications. Two of our members have spent the greater part of their service in Eastern Bengal, and their work has brought them into direct and constant association with the villagers in the remotest parts of many districts. Their experience is that in every union suitable men can be found to serve on the panchayets who, although not possessing high educational qualifications, can be trusted under sympathetic guidance and control to do a great deal of useful work for their villages. We believe that this is equally true of other parts of Bengal, and that all over the province such men can be found.'

That, Sir, is a pronouncement of some authority, and it would weigh with me in deprecating this amendment, though if the Hon'ble Member cares to press it to a division I would leave it to the Council."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I am not myself very keen about this. There is some feeling amongst the non-official members that this should be urged. At the same time, I hope that similar arguments will be advanced ; it is said very often that the people are not sufficiently educated. I for one would be glad to accept the position that has been taken by the Hon'ble Sir Henry Wheeler, that is, however, my personal opinion. As there is a feeling in the non-official benches that this amendment is necessary, I feel justified in pressing it."

The motion was then put and lost.

AMENDMENT No. 38.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, withdrew the following motion with the permission of the President :—

That at the end of sub-clause (2) of clause 5 (now clause 7) the following be added, namely :—

"Provided that only one member of a joint undivided family shall be entitled to be so elected."

AMENDMENT No. 39.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that the *Explanation* to clause 5 (now clause 7) be omitted.

He said :

"My Lord, in this explanation the word 'residence' is explained as ordinarily residing within its limits. The last portion says: 'No person may be so resident within the limits of more than one union at the same time'. I think the expression should be rather elastic. Resident may be taken as sufficient without a restriction as to the manner of residence, as in that case very few qualified men will be available for work on these union boards. It may be that for the sake of serving the needs of the community in the matter of medical aid and education many people of the headquarters may be inclined to go actually to the village and serve on these boards, and if it is

Sir Henry Wheeler ; Babu Kishori Mohan Chaudhuri ; Maulvi Abul Kasem ; Maulvi A. K. Fazl-ul-Haq.

restricted that such persons should be residing in the union in order to be able to serve there. Moreover, in the case of municipal boards, we see that one person may enjoy the right of voting in more than one municipality or locality ; so, in this case simply because a person is a resident of one union board, he should not therefore be debarred from serving on another union board. In that view of the matter, I hope that the explanation be omitted."

The Hon'ble Sir Henry Wheeler said :—

" My Lord, I recommend the retention of the explanation It will be remembered that in the Bill as it passed out of the hands of the Select Committee, this residential qualification applied to the voter as well as to the member. As I have previously explained to-day, we discarded it in the case of the voter, in deference to what we understood to be the sense of the Council ; but we retained it as regards the member, in order to ensure that the people who serve on these union boards should be genuine residents and not outsiders. We want to get the men who actually live in the villages, who are in the confidence of the people there, who know what is going on, and who are competent to supervise the execution of the petty works of improvement which will be within the power of the union boards. We do not think that the affairs of the union boards can be run properly by men who are mere birds of passage, making only casual visits to the union, and importance is to be attached to the *Explanation* that no person may be resident of more than one union at the same time. If there is any doubt, the person himself can state the place where he most frequently resides and where he wishes to take part in the affairs of that union as a resident, but he will not be allowed to be a member of a union with which he does not have a really close connection. That seems a fair provision and I would press for its retention."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

" My Lord, I have already said what I had to say, I think that if it be restricted to ordinary residence many qualified persons will be unable to serve on these boards. I submit, therefore, that this amendment should be accepted "

The motion was then put and lost.

AMENDMENT No. 40.

The Hon'ble Maulvi Abul Kasem said :—

" My Lord, in view of the decision of the Council on the previous amendment this item (No. 40) also falls through."

The motion was as follows :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that after the words " within its limits " in lines 3 and 4 of the *Explanation* to clause 5 (now clause 7) the words" or has a place of residence within the union", be inserted.

The motion was then deemed to be withdrawn.

AMENDMENT No. 41.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that in line 1 of clause 6A, (now clause 9), for the word " may " the word " shall " be substituted.

He said :—

" My Lord, I wish to make it obligatory on the union board to elect one of its members to be its vice-president, and in that view I move this amendment."

Mr. Hart; *Babu Kishori Mohan Chaudhuri*; *Babu Akhil Chandra Datta.*

The Hon'ble Mr. Hart said :—

"My Lord, I oppose this amendment. The Hon'ble Member has not given any reasons for proposing to make it obligatory that the union board should appoint or elect a vice-president, and I think it is recognized that it is important that the adminstration of the union board should be conducted as far as possible in the same simple way as the business affairs of a family are managed. Formalities should be avoided and nothing should be done to give an opening to complications. In every joint family there is a *karta* or headman who conducts its business affairs and it is not the ordinary practice to appoint a vice-headman unless and until it becomes apparent that the vice-headman is necessary. For the same reasons it is expedient that a union board should not appoint a vice-president until the necessity arises. In a municipality where they have a vice-chairman, the case is somewhat different. There the number and complexity of the chairman's duties make it desirable that he should have the assistance of a vice-chairman, but the president of a union board will not have more work than one capable person can ordinarily manage. It would be a mistake to appoint two persons to divide the work and responsibility of one man, and it would be a mistake to impose on the union board a superfluous officer. Clause 6A (now clause 9) as it stands empowers the union board to elect a vice-president when it considers such an appointment necessary. To compel the union board against its will to appoint a vice-president is unnecessary and likely to be prejudicial to the system of village self-government. For these reasons, my Lord, I oppose the amendment."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I cannot understand why it is not thought desirable that there should be a vice-president. These boards should not be a one-man show; we often hear that the chairman of the district board is the district board, so even in executive union boards it is very desirable that there should be a vice-president to assist the president. The provision in the law is very reasonable, that there may be a vice-president, and to emphasize the necessity of such an officer, I have proposed that it should be made obligatory. I, therefore, hope that this amendment will be accepted."

The motion was then put and lost.

AMENDMENT No. 42

The following motion which was held to be covered by the decision on amendment No. 41 was then deemed to be withdrawn :—

The Hon'ble Babu Kisheri Mohan Chaudhuri to move that clause 6A (now clause 9) be re-numbered as clause 6A (*1*) and that after the re-numbered sub-clause (*1*), the following sub-clause be inserted, namely :—

"(*2*) If any union board fails to elect a vice-president within the period prescribed by rules under section 111, the district board shall appoint a member of the union board to be the vice-president."

AMENDMENT No. 43.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "district magistrate" in line 3 of sub-clause (*1*) of clause 11A (now clause 11) the words "district board" be substituted.

He said :

"My Lord, this is based upon the general principle that the duty and function of the supervision of the rural boards should be entrusted to the district board and not to the district magistrate."

The Hon'ble Sir Henry Wheeler said :—

"Sir, I do not quite understand why this amendment has been mooted, except on the general principle of looking through the Bill and wherever the words 'district magistrate' occur proposing to substitute for them the words 'district board'. The duty defined in clause 11A (now clause 11) has nothing to do with the working of the boards or with the control over them. It is merely a declaratory function—to declare authoritatively that a board was constituted on such and such a date. That is a formality connected with the calculation of the term of office of members. It was not in the Bill as originally framed, which specified a 3-year term of membership from the date of election or appointment. In the Select Committee we discussed how best to ensure that the term of elected members and appointed members synchronized, and we finally adopted the solution which is now in the Bill, to have an authoritative declaration of the date from which the board was duly constituted, and to let the three years' term run for all from that date. This clause says that the district magistrate is to declare the date ; in so doing he can hurt nobody, even if it wanted to do so, and the proposal is consistent with clause 3 (now clause 5) of the Bill which makes the creation of these union boards a function of the Executive Government. It is best that a simple function of this kind should be performed similarly by an executive officer, and there will be less likelihood of possible confusion if it is left to him than if it is delegated to the district board."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, in view of the observations made by the Hon'ble Sir Henry Wheeler, I beg permission to withdraw this amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 44.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, moved that after the word 'may' in line 1 of sub-clause (*1*) of clause 12, the following be inserted, namely :—

> "Of its own motion, or on an application made in accordance with rules under section 111."

He said :

"This is a very formal amendment, and the Hon'ble Member may accept it if he thinks fit."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I do not think the amendment is required. The clause deals with the power to remove members, and says that the district board may remove any member under specified conditions. I do not think it is necessary to say that it should do so of its own motion or on an application made in accordance with rules made under clause 111 (now clause 102), because the district board will take action whenever the facts are brought to its notice in any manner."

Maulvi Abul Kasem ; Kumar Shib Shekhareswar Ray ; Sir Henry Wheeler.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I do not wish to press this amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 45.

The Hon'ble Kumar Shib Shekhareswar Ray, in the absence of the Hon'ble Raja Hrishikesh Laha, moved that for the words, brackets and figures "clause (*1*) or clause (*3*)" in line 2 of sub-clause (*2*) of clause 12 the following be substituted, namely :—

"clauses (*1*), (*3*) or (*5*)".

He said :

"My Lord, the reason is obvious. A person guilty of misconduct or of any disgraceful conduct ought not to be re-elected as a member of the union board. I submit that misconduct or disgraceful conduct is no less reprehensible than the disqualifications mentioned under (*1*) and (*3*) of sub-clause (*1*). If a member of a union board finds that, in the event of his being declared guilty of misconduct, he will be permanently disqualified from being again elected a member, he is likely to be more careful and scrupulous than if the only penalty for misconduct is to be his removal from membership for a short time only, and there will be nothing to prevent his being re-elected The proposal, if accepted, will certainly act as a more powerful deterrent than the nominal punishment of temporary disqualification provided in the Bill."

The Hon'ble Sir Henry Wheeler said :—

"Sir, I have no objection in accepting this amendment if it commends itself to the Council. Clause 12 enumerates five circumstances under which persons may be disqualified. The Bill makes two of them permanent disqualifications, that is, conviction of a non-bailable offence and having been declared disqualified for employment in the public service. The fifth, that is, being guilty of misconduct in the discharge of his duties, is not permanent ; we discussed the point in Select Committee, and the view we took was that if the electors thought that a man should be re-elected after what he had done, we should be prepared to allow them to do so. But if the Council wish to make this a permanent disqualification, I am prepared to accept it."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"I have nothing further to add, my Lord."

The motion was then put and lost.

AMENDMENT No. 46.

The following motion stood in the name of the Hon'ble Maulvi A. K. Fazl-ul-Haq :—

New clause 14B.

That after clause 14A (now clause 14) the following be inserted, namely :—

"14B. (*1*) Notwithstanding anything contained in this Act, it shall be competent for the voters of a union board to pass a vote of censure on any member of such board at a meeting attended by at least two-thirds of the total number of voters.

Maulvi Abdul Kasem; The President; Maulvi A. K. Fazl-ul-Haq; Babu Kishori Mohan Chaudhuri.

(*2*) On such a vote being passed, the member concerned shall tender his resignation to the union board within two months of the date of the meeting, and in case of his neglect or refusal to do so, he shall be removed from office by the district board.

(*3*) Every such meeting shall be convened and conducted in accordance with rules under section 111."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am sorry I cannot move this amendment, but if anyone wishes to move it on behalf of the Hon'ble Maulvi Fazl-ul Haq, he is quite welcome to do so.

The President said :—

"Does not the Hon'ble Member wish to move it ?"

The Hon'ble Maulvi Abul Kasem said :—

"No, I cannot also move Nos. 47, or 18; 19 also falls through."

As no Hon'ble member was willing to move it the motion was then deemed to be withdrawn.

AMENDMENTS Nos. 47—49.

The following motions were also deemed to be withdrawn.

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that sub-clause (*1*) of clause 15 be omitted.

If motion No. 47 be carried, also to move that before the words "vice-president" in line 1 of sub-clause (*3*) of clause 15 the word "President" be inserted.

Also to move that after the word "may" in line 1 of sub-clause (*1*) of clause 16 the following be inserted, namely :—

"of its own motion, or on an application made in accordance with rules under section 111".

AMENDMENTS Nos. 50—52.

The following motions were held to be covered by the decisions on previous motions and were deemed to be withdrawn :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the word "may" in line 2 of sub-clause (*3*) of clause 17 the word "shall" be substituted.

Also to move that after the word "meeting" in line 3 of sub-clause (*3*) of clause 17 the following be inserted, namely :—

"within a period prescribed by rules under section 111".

Also to move that after sub-clause (*3*) of clause 17 the following be inserted, namely :—

"(*4*) if any union board fails to elect a new vice-president within the prescribed period, the district board shall appoint a new vice-president."

AMENDMENT No. 53.

New clause 17A.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, moved that after clause 17 the following be inserted, namely :—

"17A. The union board shall have power to grant leave of absence to its president or vice-president for a period not exceeding six months in a year, either at one time or in the aggregate, and may fill up the vacancy caused by such absence".

He said :

"My Lord, I think in the Municipal Act provision is made for granting leave to the chairman and vice-chairman, and I think the same concession should be shown to union board officers as well."

The Hon'ble Sir Henry Wheeler said :—

"This is scarcely a proposal which involves any important principle, but rather a detail of administrative convenience and necessity. As the Hon'ble Mr. Hart has said in connection with another amendment, we want to keep the working of the union boards as simple as possible, and therefore we did not follow the precedents of the Municipal Act or the Local Self-Government Act in certain of the provisions which are required in the case of a more highly organized body like a district board or a municipality. In this matter of granting leave we thought it better that if the president required leave, the union board should see to it in an informal way and arrange for the performance of his functions in his absence. We have a rule making power in clause 111(*d*) [now clause 101(*d*)] to prescribe the powers to be exercised by the president or vice-president of a union board, and probably, if a difficulty arose, we could frame rules which would meet it. That is my objection to the amendment; that it goes rather beyond the limits of simplicity which we sought to maintain in respect of these boards."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I cannot quite follow the Hon'ble Sir Henry Wheeler. As far as I understand, he does not quite oppose this amendment, but at the same time he does not wish to burden the union board with other provisions. What I want to know is, if the president of the union board—I do not say the vice-president—is unable to attend to his duties for six months or more, what are the provisions of the Bill which will enable the union board to elect another president to officiate for him, or to carry on his work in his absence? There is no provision as far as I know, and I am not sure whether in the absence of any provision of this kind the union board will be able to grant leave to their president or vice-president. The Hon'ble Sir Henry Wheeler referred to clause 111(*d*) [now clause 101(*d*)] which prescribes the powers to be exercised by the president or vice-president of the union board, but the president must be there in flesh and blood, and must be present at the meeting of the board. Suppose he is ill or laid up or goes away, or is absent from the place, there must be some person to perform his functions. I should like to know whether in such cases the union board will be in a position to appoint a temporary president or vice-president."

The Hon'ble Sir Henry Wheeler said :—

"Sir, I gather that the Hon'ble Member asks two questions. He enquires as to my own personal view, which is, that this amendment is unnecessary. Secondly, he asks who is to exercise the statutory functions of

the president in his absence? As regards that I would merely say that for the performance of the statutory functions of a body like the Calcutta Corporation, with all its complicated interests, it is necessary to have provisions of this kind definitely laid down, but when we come to union boards, which are after all merely a few men running the affairs of a village, we do not require to overload the Bill with special provisions, and if we can avoid them, so much the better. The Bill will be worked by fairly simple people and it should be kept simple. As it is, the idea of this Bill has grown considerably since Sir Nicholas Beatson Bell first attempted to frame it. He hoped to put down provisions on little more than a half sheet of notepaper for the guidance of these village committees, but the Bill has already become much larger than was originally intended, and I hesitate to add other provisions unless their necessity can be very clearly proved. Otherwise, there is no question of principle involved."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, the object of moving this amendment was that the union boards should be given power to grant short leave of absence to their presidents in urgent cases. Suppose the president is ill or obliged to leave the village for medical treatment or for any urgent business, what provision is to be made to carry on the duties of the board? I am afraid the only course open to him is to resign his office, and a fresh election must take place, unless there is a vice-president to act for him. Of course the period of six months in the aggregate is two long a period, but some provision ought to be made in the Bill for temporary grant of leave to the president in order to ensure arrangements for carrying on his work during his absence. I admit, of course, that it has nothing to do with the principle of the Bill."

The motion was then put and lost.

AMENDMENT No. 54.

Clause 20.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the word "road" in line 1 of clause 20 (now clause 19) the words "bridge and tank" be inserted.

He said :

"My Lord, this amendment refers to clause 20 (now clause 19) of the Bill, which provides for the property to be vested in the union boards, that is to say, roads, buildings or other works constructed by the union wards. To those I wish to add 'bridge and tank'. It is extremely doubtful if the word 'road' as defined in this Bill would cover a bridge. Certainly it would not cover a tank, and I think if we enumerate any property it is necessary to expressly mention 'bridge' and 'tank' which are very important works of the board. I do not think 'or other work' would be sufficient to cover these two, for in that case the clause ought to have been worded 'other works constructed by the union board'. We need not have mentioned roads, buildings, etc. If it was necessary to mention roads, buildings, etc., I think it is necessary to mention also bridges and tanks.

The Hon'ble Mr. Hart said :—

"My Lord, I oppose this amendment. Clause 20 (now clause 19) of the Bill applies to 'every road, building or other work' and the words 'other work' obviously cover a bridge or a tank. The Select Committee saw no reason to include in this clause a complete list of the various kinds of work which a union board may construct, and I do not think that the Hon'ble Member has been able to show that there is special need for making specific

mention of bridges or tanks. I might explain also that in this case the wording of the clause exactly follows that of section 75 of the Local Self-Government Act of 1885. As these words are unnecessary, my Lord, I beg to recommend that the amendment be not accepted."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, with due deference to the finality of the Select Committee, I beg to submit that I am not at all impressed with the Hon'ble Member's statement that the words 'other work' in place of 'other works constructed by' would do. Why do you mention roads and buildings? If you mention them, you should also mention other important works done by the union board. 'Or other works' might mean according to the interpretation given generally in courts of law, other works like buildings, etc.—the preceding words. I think there can be no bar in introducing the words 'bridge and tank'."

The motion was then put and lost.

AMENDMENT No. 55.

The Hon'ble Babu Ambika Charan Mazumdar moved that the words "from the union fund" in line 2 of clause 20 (now clause 19) be omitted.

He said :

"My Lord, the next amendment also refers to this very clause which says that every road, building or other works constructed by a union board from union funds shall be vested in the union boards. I do not understand why you should fetter this clause with the restrictive clause, viz., 'from the union fund'. The union board may construct a work either by begging, borrowing or stealing, and why should you say, constructed by the union board from the union fund'? It may even happen that a private gentleman may grant a sum of money with the object of constructing a tank; there the work is constructed not from the union fund, but from some specific fund received for the purpose. Why should we fetter the hands of the union board by saying that that tank should be vested in case it is constructed from the union fund? I think the clause 'from the union fund' should be omitted."

The Hon'ble Sir Henry Wheeler said :—

"I do not think, Sir, that the clause as it stands will give rise to any practical inconvenience, while the adoption of the amendment might possibly have that result. The Hon'ble Member has referred to the case of a work constructed out of a donation made by a private individual, but such a work will vest in the union board. It will do so because under clause 47 (now clause 46) the donation would be a miscellaneous receipt of the union board and part of the union fund, and the work so constructed would come within the meaning of this clause. But the possible inconvenience to which I refer is that if the district board took action under clause 35 (now clause 33) to make over to the union board the execution of any work within its area, it might well happen that, while the district board might want to make over to the union board a particular work and the union board might be perfectly willing to undertake it, yet neither the district board might want to make over the property, nor the union board want the responsibility of keeping it. Therefore, inconvenience might arise if we made the change which the Hon'ble Member suggests."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I am not much impressed with the arguments of the Hon'ble Sir Henry Wheeler nor the illustration he has put before the Council. If a man makes a donation for making a road, it may be taken as part of the union fund, but at the same time I think there is something to be said that certain

Babu Ambika Charan Mazumdar ; Babu Akhil Chandra Datta : Sir Henry Wheeler ; Maulvi Abul Kasem.

cases would not be covered by the Bill as it now stands. Suppose I happen to be a resident of a union board and there is a road running from my ground to another part of the union and I want to make over this private road of mine to the union board, for it would be a great convenience to the public, then in that case the words of the Bill as they stand would rather go to show that it would not be vested in the union board, because it is not a road made from the union fund. I want to have this made clear, that if I make a gift of my private road to the union board and the union board takes it over because it would be a great boon to the public, it should vest in the union board. Certainly it is not made out of union funds, but it ought to vest in the union fund, therefore, I join with my hon'ble friend the mover in saying that properties made over to the union board should vest in them. I would not restrict it to the words 'made from the union fund'."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I have nothing further to add."

The motion was then put and lost.

AMENDMENT No. 56.

The Hon'ble Babu Akhil Chandra Datta moved that after the words "from the union fund" in line 2 of clause 20 (now clause 19) the words "or made over to the union board by the district board or local board" be inserted.

He said :

"My Lord, the clause as it stands now refers only to buildings and other works constructed by union boards, but we can imagine very well that the existing roads will be made over by the district boards or the local boards to the union boards. The clause as it stands now does not deal with those roads. Therefore it is necessary that these words 'or made over to the union board, etc.,' should be inserted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, here again I do not think the amendment is necessary. Under clause 19 (now clause 18), the union board will have power to acquire or hold property, both movable and immovable. If, therefore, the district board or the local board do desire to make over any property to the union board, it will be open to them to do so, and the union board can accept it ; but I have already referred to clause 35 (now clause 33) under which it is quite possible for the district board to make over the execution of a work to the union board without wishing to vest such a work in them. Therefore it seems preferable to maintain the wording of the clause as it stands."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing further to add."

The motion was then put and lost.

AMENDMENT No. 57.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, moved that for clause 22A (now clause 20) the following be substituted, namely :—

"22A. (*1*) The union board shall appoint such persons as it considers fit to be dafadars and chaukidars under this Act, whenever a vacancy or vacancies exist :

Provided that if the union board fails within a reasonable time to make such appointments, the district magistrate shall make the requisite appointment or appointments to fill up the vacancy or vacancies.

(2) The union board shall have power to dismiss a dafadar or chaukidar :

Provided that a dismissed dafadar or chaukidar shall have a right of appeal to the district magistrate, whose orders shall be final."

He said :

"My Lord, this amendment is an important one and there is a question of principle involved in it. The principle advocated by this amendment is that the dafadars and chaukidars should be appointed by the board and the board should have power of dismissing its servants. In the Bill as it was first brought before the Council the power of appointing chaukidars and dafadars was vested in the district magistrate, but the Select Committee after reconsideration, considered it fit and proper to suggest that the board is to nominate a person for appointment as dafadar or chaukidar and the district magistrate shall, if satisfied with such nomination, appoint such nominee. This amendment aims at giving the full power of appointment to the board itself and the power of dismissal as well. The only provision added is that dismissed dafadars and chaukidars should have a right of appeal to the district magistrate. It is only fair that the union board should have the right of appointing their own servants and they ought to have a good deal of control over dafadars and chaukidars who will be paid out of the funds of the union boards. If the power of their appointment or dismissal does not rest with the union boards they will have very little control over these dafadars and chaukidars. It is said that the district magistrate shall, if satisfied with the nomination of the union board, appoint such nominee : but in this case those people who have some experience of the rural areas and the working of the Chaukidari Act know that the district magistrate in this country practically means the circle officer or one of the police officers, inasmuch as the district magistrate will practically have no knowledge of the matter and will always abide by the decision of these officers. So what we want to do is to transfer the power from the circle officer to the union board. The powers of appointment, dismissal and punishment should vest with the members of the union board itself who will be primarily responsible for the working of the board and they ought to have some control over their own servants and employés."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I would like to have your Excellency's ruling as to whether these amendments Nos. 57 and 58 should be discussed together because they are almost identical."

The President said :—

"I think the two amendments are not quite identical : they are slightly different in form. But it might perhaps be convenient to discuss the two at the same time. I can put the amendments separately after the end of the discussion."

The Hon'ble Sir Henry Wheeler said :—

"May I point out that there is an appreciable difference between amendments Nos. 57 and 58, in so far as No. 57 vests the residuary power of the union board in the district magistrate, whereas No. 58 vests the residuary power in the local board, which is a far-reaching change."

The President said :—

"In these circumstances, I think it will be better to take the discussion on each of the amendments separately."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this amendment, as the Hon'ble Maulvi Abul Kasem has said, is one of some importance. It raises a very ancient controversy in this province—a controversy in which there have always been two schools of thought, but a controversy which has decided itself on the lines that are now in force as the result of practical experience of the contrary method. The issue is whether the chaukidars and dafadars are to be nominated by the union boards and appointed by the district magistrate, if satisfied with the nomination, which is what the Bill provides, or whether the right of appointment is to vest absolutely in the union board, leaving the magistrate only a right of intervention if they fail to appoint. Similarly, whether the right of dismissal should vest absolutely in the union board, leaving the district magistrate only the right of intervention on appeal. The Bill, as it stands, only enacts the existing position; in respect of dafadars the original Bill did propose a change which would have vested their appointment and punishment absolutely with the district magistrate—a change which could be advocated and justified; but on reconsideration, bearing in mind the fact that this is not primarily an Act to amend the chaukidari law, we thought it preferable to waive any proposals for change, and to adhere to the existing position, and I would like to emphasize the fact that the Bill merely provides for the continuance of the existing state of affairs.

I am afraid I must deal in some detail with this matter, especially as it is one of such long standing in Bengal; and I shall have occasion to read quotations from various past papers, partly because they put the matter clearly and succinctly, and partly because I would like to bring home to the Council that all these arguments that are used now are arguments which have been weighed and considered in the past, and in the light of those discussions the present procedure has been explicitly adopted. I will read first from the report of the District Administration Committee. They say—

'The question of the nature of the control which should be exercised over the village watch is one on which there has always been a great conflict of opinion in Bengal, for, while some would consider the chaukidars essentially village servants, as in Madras, Bombay and the Central Provinces, others would like to see them placed in greater subordination to the regular police, only the assessment and collection of the chaukidari tax being left in the hands of the panchayets. Others, again, would prefer that the chaukidars should be paid from provincial revenues, being made directly subordinate to the regular police and entirely emancipated from village influences. The policy of dual control, which has hitherto been adopted in Bengal, is in the nature of a compromise between the two extreme views, but the extent of the control exercised over the chaukidars by the panchayets and the police, respectively, has varied at different times and in different places. It is unnecessary for us to dwell at any length on the early history of this question. The theory that the village watch is a municipal institution was definitely adopted after much controversy in 1870, and Act VI of that year is based on the assumption that the chaukidar is purely a village servant, employed for the protection of the lives and property of the villagers and looking to the village community for the regular payment of the remuneration to which he is entitled. His chief duties under the Act, as they had been under Regulation XX of 1817, were to give prompt information to the police of all criminal attempts or occurrences in the village, as well as of the movements of bad characters, and to arrest proclaimed offenders or persons taken in the act. He was also bound to assist the panchayet in the collection of the chaukidari tax. Watch and ward occupied a position of secondary importance. At first the appointment, punishment and dismissal of the chaukidars were left in the hands of the panchayets, but the tendency of later legislation was in the direction of strengthening the control of the Magistrate and police over the panchayets and the chaukidars; and, under Act I of 1892, the power of appointing, punishing and dismissing chaukidars, as well as of determining their numbers and fixing their salaries has been vested in the District Magistrate, who, with the sanction of the Commissioner, can delegate this power to any Subdivisional Magistrate or Magistrate of the first class or to the District Superintendent of Police.

* * * * * * *

Sir Henry Wheeler.

We need not follow the different steps that have since been taken from time to time to restore police influence in the villages and to secure closer control over the work of panchayats and chaukidars. The system of dual control has been accepted by the great majority of the witnesses, both official and non-official, whom we have examined.

* * * * * * * *

'There are some who contend that the system of dual control over the chaukidars has failed in Bengal, and that it is useless to continue it, but this, to whatever extent it may be true, is due to the weakness and inefficiency of the panchayats and to the absence of any real effort in the past to improve their position and secure their co-operation, which is so essential to effective police work in the villages. Reform should begin with the panchayats, and we think that it would be unwise, now that it is proposed to make a real effort through the circle scheme to introduce an improved system of village administration, to do anything at the outset which would be likely to weaken the tie between the rural police and the community whom they serve. At the same time we recognise that it would be dangerous if anything were done to render police action in the villages less effective, especially in the Eastern Bengal districts, and to deprive the police of the assistance of the chaukidars.'

That extract, Sir, summarises the position and emphasises the point that the situation in Bengal in this matter is a compromise: at one time greater powers were given to the panchayats in the matter of the appointment and dismissal of chaukidars; but in the light of experience, they were withdrawn by the amending Act of 1892. The experience since gained has shown that the dual system works fairly well, and it has not demonstrated the desirability of amending it, while it has also shown—as mentioned by the District Administration Committee in their report—the possible dangers of seeking an alteration.

The same point was also gone into at some length in the debates in the Bengal Council when the Act of 1892 was passed. These discussions too give some interesting facts about the theory of chaukidari administration in Bengal and if I weary the Council with them now, it is partly with reference also to other amendments which are on the agenda paper, and which cannot be appreciated unless the position is fully understood. It is interesting too to note that the discussions of 1892 were largely in the hands of Sir Henry Cotton and it cannot be said that Sir Henry Cotton was a man who was excessively in sympathy with police as opposed to popular administration. In introducing this Act of 1892, Sir Henry Cotton said as follows:—

'The village watch of Bengal, as of all India, is one of the oldest institutions of the country connected with the village system itself, and the village watchman of ancient Hindu times is substantially the counterpart of the village watchman as he is recognised by existing legislation; that is to say, the village watchman is ordinarily a member of an hereditary thieving caste, and responsible for his behaviour to no one except to the village community by whom he is maintained. That was the constitution of the village watch in ancient Hindu times, and it is practically the constitution of the village watch at the present day. Under the Mogul administration there was some change effected. The character of the Mogul Government was eminently fiscal, and the village watchman, instead of being the village servant, became to a very large extent the servant of the zamindar, and that dual position remained for a very long time under British rule, and still remains in all parts of the country where Act VI of 1870 has not been enforced. The object of Act VI of 1870 was to place the village watch everywhere under the control of the village organization.'

After referring to this doctrine of the village chaukidar as the village servant, he goes on to say:—

'The Bill, I have now the honour to place before you, introduces a modification of this principle. It is my own view strongly, and it is the view of the present Government, that the police is a branch of the administration which ought to be brought into closer relations with the Government.

* * * * * * * *

The present Bill is a slight step in this direction—not a very decisive step perhaps—for it does not pretend to be more than a very gradual and small measure, but it is a step

in the direction of centralizing police administration, and of bringing the village watch much more than it now is under the immediate supervision of the District Magistrate who represents the Government in the *mufassal*.

* * * * * * * *

In Bengal we do not go so far as to desire that the village watch of this country shall altogether disappear, and we wish to adhere to the only sound element of the chaukidari system, viz., that of retaining the local knowledge of men resident in the village in which they are to be employed; but we do desire to modify it materially, and the direction this modification takes is by placing the village watch more under executive authority than it now is.

At present the panchayat, which is, in other words the representative of the village community, not only appoints the chaukidars, but has authority under the law to decide within specified limits how many chaukidars shall be employed and to fix their salaries. On these three main points the power and authority of the panchayat is curtailed by the present Bill. It is proposed to allow the panchayat to nominate, but the appointment of the village watch will rest in future with the District Magistrate. It is laid down also that the Magistrate and not the panchayat shall determine the number of chaukidars within specified limits. This is a proviso which experience has shown to be very necessary. The law authorises the panchayat now to fix the number of chaukidars, and in practice it has been found that they reduce the number, and the Magistrate has been obliged to interfere to maintain the minimum number of chaukidars prescribed by law. They have done so without any specific legal authority, but it is only in this way that the full number of chaukidars has been maintained. Under the present Bill, the Magistrate is vested with the power he has hitherto informally exercised. Similarly, it is proposed—and this is a point of at least equal importance—that the Magistrate shall fix the salary of the chaukidar. The salary is now fixed by the panchayat, and the tendency is to fix it at a rate so low as to be below the standard of efficiency.'

In other words there was a certain position created by the Act of 1870, and after 20 years' experience of that system, during which it was enquired into by two committees—one presided over by Mr. Beames and the other by Mr. Munro—and in the light of the enquiries of these two committees and the failure of the system to which they drew attention, Sir Henry Cotton introduced the Act of 1892, and in connection with it he said :—

'Is it a fact that in those districts in Bengal in which that Act has been introduced, and in which panchayats have worked, the chaukidari system has been more successful than it has been elsewhere? I am not aware that the experience of any Member of this Council will be able to answer that question in the affirmative. On the contrary, as far as the control of the chaukidar is concerned, as far as all police work is concerned, panchayats practically have no existence. They have done no good whatever, they have been of no use. But they have done one thing. There is no doubt that they have assessed and collected the chaukidari rate, and have paid the chaukidars within the villages where they exist. There is no doubt that the chaukidars where there is a panchayat are better paid than in other parts of Bengal where panchayats have not yet been legalised. That is true. As regards any other aspect, police work proper, executive control, the panchayat has been useless, and that is the opinion of everyone with the one exception of Mr. Westmacott, who has enquired into the matter. In the very section of the Police Committee's report from which my hon'ble friend quoted just now, I find it stated :—"It will thus be seen that, though the Law contemplates that the determination of the number of chaukidars shall be left to the panchayat, it has everywhere been found necessary, in the interest of the public, for the Magistrate to interfere to secure the proper performance of this duty by the panchayat." And it is the deliberate verdict of the Police Committee that the panchayats have nowhere done their duty except when compelled to do it by the interference of the Magistrate, how can any member of this Council say that the institution of the panchayat for such purposes, namely, fixing the number and salary of the chaukidar has been a success? It is because it has been such a flagrant failure that the Committee was appointed by the Government, on whose recommendations radical modifications in the law, which the Local Government has more than once attempted to carry, but I regret to say have abandoned owing to a storm of prejudice and ignorance, are now proposed as being thoroughly necessary.'

Therefore, Sir, the point I would emphasise by these quotations is that the old system which this amendment seeks to restore was definitely condemned after 22 years' working and replaced by the existing system which the Bill perpetuates.

Sir Henry Cotton's remarks constitute an authoritative pronouncement as to the failure of the system which the amendment would advocate, and they afford sufficient justification for adopting the line which we have done in the Bill, namely, that in this matter of the chaukidari administration we will not make any change in the existing practice. Whether such a change may come hereafter we cannot say. It will have been noticed from the extracts which I have read that constant reference is made to the inefficiency and failure of the old panchayets. We hope with these union boards to secure stronger and more efficient bodies, and it may so happen that if these bodies prove themselves efficient, it may be possible to modify the present practice in the matter of control over chaukidars. But whether this will happen I cannot say. It is a matter for the future, but all I do say is that, as matters stand at present, the considerations which I have adduced justify to my mind our doing what we propose to do, *i.e.*, continuing the present practice without alteration, and I am not prepared to accept an amendment which puts us back to the Act of 1870, which after 22 years' experience was ultimately condemned."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I am afraid that the panchayeti system, even on the high authority of Sir Henry Cotton, which is 22 years old, will not now avail. Things have been moving fast in this country, as all over the world, and in order to have energetic action we are going to have a new body altogether. And if you want them to be efficient and do effective work you must give them real power. If they are merely to send up the names of chaukidars and dafadars and if the District Magistrate is to appoint them, I think that will be taking away much of that which would go to make them useful bodies. There may be some need for supervision ; but we must not forget that it is not panchayets that we are dealing with—but altogether a different thing. The change has become necessary as it is felt that the body that was administering that important part of village policing was not quite up to the mark. Therefore, we are bringing in a better body of men in charge of this duty and other duties. It would be hardly proper and right to take away from them the most important part of the duty and to expect them to look after the police work up to the required standard. I should think that as the amendment seeks to impose on them the power of appointing their own servants as a beginning, Government should very carefully consider the situation before throwing it out."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have followed with great interest the long and luminous speech of Sir Henry Wheeler and, following the last speaker Sir Deba Prasad Sarbadhikari, I should say that notwithstanding the signs of progress that we see on all sides, Government seem to be, at least in this matter, as unprogressive as can be imagined. In 1870 an Act was passed enabling Village Committees to appoint chaukidars : in 1892 owing to certain reports that were made by Sir James Munro, Inspector-General of Police, and Mr. John Beames who was, I believe, subsequently a Commissioner of a Division, Government thought fit to take away that power by the Act of 1892 and vested it in the District Magistrate. That was in 1892, and this is, my Lord, 1919. I do not know, my Lord, what tremendous change has been made in the Government, in the views of the responsible authorities over our affairs and in the administration of the country ; well nigh 27 years have passed away since the Act of 1892 was passed. The name of Sir Henry Cotton was conjured up to silence the critics, because Sir Henry Cotton was known to be in favour of progressive government in this country. But it must not be forgotten—and, I believe, the Hon'ble Sir Henry Wheeler will himself admit—that the position of a responsible officer of Government is

Rai Mahendra Chandra Mitra Bahadur.

quite different from the position of the gentleman divested of the position which he officially occupied at the time. Perhaps I may not be mistaken if I say that the views of the Hon'ble Sir Henry Wheeler as a Member of the Executive Council of your Government would be greatly different from those of Sir Henry Wheeler in his retirement—whether living amongst us in this country or in his own home. Therefore, I do not think that the views of Sir Henry Cotton as expressed in his official capacity and uttered some 29 years ago need be taken much into consideration. My Lord, I was reading the opinion of Rai Baikuntha Nath Sen Bahadur, a very calm, moderate and experienced gentleman—a gentleman who has even in his old age taken the greatest interest in the local affairs of his country. He said : 'It is a shadowy measure of self-Government : it is far better that such a measure should be withdrawn rather than presented to the people.' My Lord, great changes have been made and the people have now progressed beyond our conception during the last 27 years, and I think that time has come when they should be trusted to appoint chaukidars. I believe the pay of these chaukidars ranges from Rs. 4 to Rs. 6 a month and that of dafadars from Rs. 8 to Rs. 10 and if there is any abuse of power, I am sure the various provisions in this Bill would be found to be ample safeguards.

You have got ample power under the clauses of this Bill and therefore I do not think there need be any apprehension on this score. You are vesting the people with a modicum of self-Government, but the people cannot appoint a chaukidar on Rs. 4 a month without the sanction of the Circle Officer—a sub-Deputy Collector—to whom this function will be delegated by the District Magistrate under the schedule of this Act. That will make the union boards merely *jo-hukum* bodies to the Police Superintendent or the Circle Officer. I appeal to your Excellency, in view of the impending constitutional reforms, to make these small rural bodies realize that they have some semblance of power. And unless they are allowed to realize this they will always remain *jo-hukum* bodies to the authorities. These bodies will be composed of timid *mofassal* people and they will never abuse their power. If this simple power is not given to them, they will not venture to go against the district magistrate. They will tremble in their shoes before him and the police superintendent and the Circle Officer as if their authorities are paramount. Their influence will be demoralizing to the Boards if they are made to realize that under the British Government they cannot appoint half-a-dozen chaukidars on Rs. 4 or Rs. 6 a month."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have to say a few words in this connection. If the panchayat or the union board comes to know that they cannot appoint a chaukidar and that the chaukidar will be under the supervision of the Police Superintendent or the District Magistrate, the union board will lose its prestige. My Lord, this is an important point and many persons of light and leading want to have the union board independent of the District Magistrate. It was for this reason that I was advocating that men possessing educational qualifications ought to come into the board and if they joined the board there would be no necessity of the interference by the District Magistrate. Your Excellency will remember the opening speech of Lord Sinha delivered at the time of the introduction of this Bill, and he brought to the notice of the Council that there would not be any undue interference by the police. If there be any undue influence on the part of the police, then I do not think, my Lord, that the prosperity of the union boards can ever be hoped for. I beg respectfully to submit that although it may be argued that District Magistrates ought to have some influence over the doings of the union boards, at the same time, it must be conceded that the boards should not be unduly interfered with in their work by the District Magistrate. If there be interference, there is necessity for self-government.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am sorry the amendment as moved was not acceptable to the Hon'ble Member in charge. I am at present not concerned with the progress but the success of the union boards. And in order to make the union boards successful, it is necessary to vest them with a certain semblance of power which will develop in them a certain sense of responsibility. A good deal of literature has been read out and opinions have been quoted—opinions expressed so far back as 1892. But since 1892 much water has flown under the Howrah Bridge and many changes have taken place. The opinions of the late Sir Henry Cotton or the Decentralization Commission about the panchayats can have no bearing on this subject, as those panchayats have no resemblance with the union boards to be formed under this Bill. There will be quite different bodies as has been stated by the Hon'ble Sir Henry Wheeler only this morning, in connection with another amendment. The members of the panchayats as also the President are themselves the nominees of the District Magistrate and it matters very little whether the chaukidars or dafadars are nominated by the one or the other. But the union boards will be vested with much more power, and they will have a larger variety of work to perform than the collection of the chaukidari tax and the distribution of the salaries of dafadars and chaukidars. The present panchayati work is very simple—to realize the tax, to send it over for payment to the chaukidars and to submit certain reports and figures when asked upon to do so by the District Officer or the Police Superintendent. But the union boards will have much larger powers and if they are not vested with the power of appointing their own servants—or these chaukidars although they may be *quasi*-policemen or regular policemen, they will be servants of the union boards all the same, as they will not only be paid by them but also controlled by them—then they will find considerable difficulty in carrying on their work with the aid of men whom they have no power to appoint. It has been said that the panchayats were vested with this power, but the arrangement has proved a failure. If the panchayats who were appointed by nomination and the panchayats formed under a system introduced 30 or 40 years back were a failure that is no reason why their successors, the members of the union boards who are to be elected under this Bill, should not be vested with this small power. Failure and success are not the only tests by which we should be governed in the matter of administration. It must be admitted that in the matter of industrial development of the country or in the matter of sanitary improvement the Government of India and the Local Governments have not proved so successful, but nobody suggests that these departments should be taken charge of by the Secretary of State and that the Imperial and Local Governments should not be allowed to be in charge of them. I submit that in order to develop a sense of responsibility in them these union boards should be vested with some power which is absolutely necessary in order to make them responsible bodies. Otherwise, there will be only village self-Government in name without any responsibility. I hope and trust that your Excellency's Government will accept the amendment. Of course, there must be general supervision by the authorities, but that must be from outside and must be consistent with the principle of self-government."

The Hon'ble Sir Henry Wheeler said :—

"May I add a word, in the hope that it will help to bring us down from the realms of fancy to those of fact. We have heard from the Hon'ble Maulvi Abul Kasem a good deal about the desirability of giving these union boards even a semblance of power. The Hon'ble Rai Radha Charan Pal Bahadur has abjured us not to take all power from the union boards so that

they will stand trembling before the circle officer or the sub-divisional officer. But what are the facts in regard to this particular matter of appointing chaukidars? At present, and under the law as we propose it, the nomination of chaukidars rests with the union board. They submit their nomination to the District Magistrate, and if the District Magistrate is satisfied that the nominee is suitable, he appoints him; it is only on the failure to nominate that the District Magistrate takes the place of the union board. Surely that allows a considerable power of appointment to the union board, and it can scarcely be said that they have no hand in the appointment of chaukidars. They have the nomination of the chaukidar in their hands. The only control that the Bill mentions is that the District Magistrate is allowed to satisfy himself that the union board nominee is a suitable nominee, and I have endeavoured to point out that it is in the light of past experience that this curious dual position which we have in Bengal has resulted, under which a modicum of control is retained. The Bill now before us, in its main aspects, is a Municipal Bill, and the more important functions of the union board will be those connected with the improvement of the villages. It so happens that this chaukidari side has been grafted on to the Bill because it was thought desirable to create one single authoritative village body in place of the old chaukidari panchayats and the local self-Government union committees. In that way the chaukidari administration has been brought in, but it is not the primary object of the Bill, and I venture to say that it will prejudice the success of local self-Government if we embroil these village bodies in this controversial matter of the control over chaukidars.

The only other point to which I would refer is in answer both to the Hon'ble Sir Deva Prasad Sarbadhikari and the Hon'ble Maulvi Abul Kasem in the criticism that they have made against my remarks, namely, that I am seeking to support the position of the present day by arguments of 20 years ago, since when the position has changed materially. In answer to that, may I read another extract from the report of the District Administration Committee which made its enquiries in 1913-14? It is not the case that Government have sat still in this matter; there have always been two schools of thought with regard to chaukidars, and in the report of the Police Commission, the village side of the chaukidar's functions was brought into prominence, following which special inquiries were conducted by Mr. Savage who was a strong advocate on that side. His main idea was to secure a better class of men for the village panchayat—men better fitted to be entrusted with more supervision over the chaukidars. I happened to take on the inquiry after him, and during the cold weather of 1905-06 I toured throughout the entire province, looking into the administration. Therefore, in a small way, I also have seen something of the true facts. As a result of Mr. Savage's inquiries more powers were given in certain villages to the panchayats over the chaukidars, and I had better read the report of the District Administration Committee as to the results. They said :—

'The Indian Police Commission of 1902-03 deplored the increasing tendency to departmentalise the rural police; and the president system, introduced by Mr. Savage two years later, was designed with the object of freeing the panchayats from police influence and of emphasising the essential character of the chaukidar as a village servant, while leaving him subject to the control of the Magistrate and the police in regard to his police duties. The success of the system depended on the willing co-operation of the panchayats and it failed because the necessary supervision was never forthcoming. For the next few years the annual reports on the working of the police in Bengal and in Eastern Bengal and Assam contain references to the injurious effects of the system on police administration, especially in the eastern districts; and many officers complained that it had merely transferred the control over the chaukidars from one authority to another less capable of exercising it, with a very distinct loss of knowledge and efficiency on the part of the police.'

Babu Akhil Chandra Datta.

That, Sir, is an up-to-date argument in favour of my contention that we should maintain the law as it is, and not seek at this moment to make a change the consequences of which might be serious and undesirable."

A division was then taken with the following result :—

Ayes—18.	*Noes—23.*
The Hon'ble Sir Nilratan Sarkar, KT.	The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, Mr. Provash Chunder Mitter, C.I.E.	,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Kumar Shib Shekhareswar Ray.	,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
,, ,, Mr. Arun Chandra Singha.	,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Sir Deba Prasad Sarbadhikari, KT., C.I.E.	,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
,, ,, Rai Debender Chunder Ghose Bahadur.	,, ,, Mr. F. C. French, C.S.I.
,, ,, Rai Radha Charan Pal Bahadur.	,, ,, Mr. J. Donald, C.I.E.
,, ,, Mr. W. H. Phelps.	,, ,, Mr. L. S. S. O'Malley, C.I.E.
,, ,, Dr. Abdulla-al-Mamun Suhrawardy.	,, ,, Mr. H. P. Duval.
,, ,, Maulvi Abul Kasem.	,, ,, Mr. M. C. McAlpin.
,, ,, Khan Sahib Aman Ali.	,, ,, Mr. F. A. A. Cowley.
,, ,, Babu Ihabendra Chandra Ray.	,, ,, Col. J. K. Close, M.D., I.M.S.
,, ,, Rai Sri Nath Ray Bahadur.	,, ,, Mr. W. C. Wordsworth.
,, ,, Babu Akhil Chandra Datta	,, ,, Mr. C. F. Payne.
,, ,, Rai Mahendra Chandra Mitra Bahadur.	,, ,, Mr. S. G. Hart.
,, ,, Babu Mahendra Nath Ray, C.I.E.	,, ,, Khan Bahadur Maulvi Aminul Islam.
,, ,, Babu Kishori Mohan Chaudhuri.	,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.
,, ,, Babu Ambika Charan Mazumdar.	,, ,, Mr. R. V. Mansell, O.B.E.
	,, ,, Mr. W. H. H. Arden-Wood, C.I.E.
	,, ,, Mr. Aminur Rahman.
	,, ,, Mr. L. V. N. Meares
	,, ,, Mr. W. E. Crum, O.B.E.
	,, ,, Mr. G. A. Bayley.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
,, ,, Raja Hrishikesh Laha, C.I.E.
,, ,, Babu Siv Narayan Mukharji.
,, ,, Babu Brojendra Kishor Ray Chaudhuri.
,, ,, Mr. F. W. Carter, C.I.E., C.B.E.
,, ,, Mr. H. R. A. Irwin, C.I.E.
,, ,, Mr. M. Ashraf Ali Khan Chaudhuri.
,, ,, Maulvi A. K. Fazl-ul-Haq.
,, ,, Mr. Altaf Ali.
,, ,, Babu Surendra Nath Ray.
,, ,, Mr. K. B. Dutt.

The *Ayes* being 18 and the *Noes* 23 the motion was lost.

AMENDMENT No. 58.

The Hon'ble Babu Akhil Chandra Datta moved that for clause 22A (now clause 20) the following be substituted, namely :—

"22A (*1*) The union board shall appoint such person as it considers fit to be a dafadar under this Act, and shall, when a vacancy exists, appoint a person to be a chaukidar under this Act :

Babu Akhil Chandra Datta.

Provided that, if the union board fails within a reasonable time to appoint a dafadar or a chaukidar, the local board shall make the appointment.

(2) The union board may dismiss any dafadar or chaukidar :

Provided that a dismissed dafadar or chaukidar shall have the right to appeal against the order of dismissal to the local board."

He said :—

"My Lord, as has been very justly remarked by the Hon'ble Sir Henry Wheeler with reference to the previous amendment, this is a very important matter, and I propose to give my reason in respect of this amendment at some length. The Indian Police Commission of 1902-03, very truely observed that the great defects in the efforts made in all the provinces of India to establish a sound system of village police have been their want of clearly defined principle and their spasmodic nature. Before, therefore, discussing the several provisions of the Bill regarding the dafadars and chaukidars, it is essentially necessary to formulate clearly the policy and principle upon which the village police system should be based. The different sections deal with matters of detail. Once the fundamental principle is decided, there will be no difficulty about the details. Much misconception and controversy will disappear if we hold steadfastly to that principle. The initial question is—what is the object of this institution? What is their real function? Whose servants are they? Are they the servants of the villagers or of the regular police? What is their position with respect to the villagers on one side and the regular police on the other?

These questions, though very important, are not of first impression. In fact, they are almost as old as the British Empire in India. I, therefore, propose to review the history of the village police system in this country, for I believe that this study will help us in all the controversies which have now clustered round the important question of village police. Originally, the village police were subject to the control of the zemindars. But in 1793, the village watchmen were (by section 13 of Regulation XXII of that year) declared subject to the orders of the newly appointed darogas and became practically the servants of the regular police. But the system did not work well, and a committee was appointed to consider the question of the reform of the village police. The very important and interesting question arose whether the village police was a municipal institution or the lowest rung of the ladder of the regular police. The principle that the village watch is a municipal institution was definitely adopted after much controversy and the result was the Chaukidari Act, 1870. This Act was based on the principle that the chaukidar was purely a village servant. The appointment, punishment and dismissal of the chaukidars were placed in the hands of the panchayats. In fact, this Act was framed in a spirit of entire trust in the village community. But although the municipal character of the rural police was recognised as a matter of theory, the attempt to develop a sound system of village police was marred by certain unsuitable provisions of the law—provisions which were not in keeping with the underlying principle of the Act. But what is more regrettable, a fair trial was not given to the system inaugurated by Bengal Act VI of 1870. It was not worked with anything like enthusiasm by the district officers The Police Commission of 1902-03 attributed the failure of the panchayat system to this lack of interest. There was not only indifference and apathy but positive antipathy. In 1881, Mr. Munro, C.B. (then Inspector-General of Police) suggested the appointment of a commission to reconsider the whole question of village police. The recommendation of this commission, submitted in 1883, led to certain amendments of the law and finally to the passing of Bengal Act I of 1892. This Act reversed the principle underlying its predecessor that the control of the

village police was to rest with the villagers. The keynote of this retrograde legislation is to be found in the words of the member in charge who remarked 'the inhabitants of a village have no claim to a municipal administration in any respect, still less have they any claim to control the police.'

The power of appointing the chaukidars, punishing them, determining their number and fixing their salary was transferred from the panchayat to the District Magistrate who invariably delegated these powers to the Superintendent of Police. This was reaction with vengeance and the result was that the chaukidar again became a servant of the police. Ten years after, the question came up again before the Police Commission who strongly condemned the tendency to departmentalize the rural police. They reaffirmed the old municipal theory that the village watchman ought to be a village servant, subordinate to the members of the village council and not to the regular police. The Commission observed :—

'The Commission desire to emphasise their conviction that the village police ought not to be separated from the village organisation and placed under the regular police. They desire to see, not a body of low-paid stipendiaries or subordinate police scattered over the country, but the utilisation of the village agency itself. The village is the unit of administration. Improved administration lies in teaching the village communities to take an active interest in their own affairs. * * * * The Commission consider it to be of vital importance to emphasise the responsibility of the village headmen, and to hold the village officer responsible rather as the subordinate of the village headman and his servant for the performance of public functions. To place the village police officer under the control of the station-house officer would be to subvert the system in its essential principle and often to place the dregs of the people over the respectable classes. The village watchman would become the menial servant of the police and probably become unscrupulous in his methods. He would work apart from, and often against, the village head man. The Commission also remarked that the system introduced by Bengal Act I of 1892 was certainly not a system of village police as generally understood. It is more of the nature of a low-paid regular constabulary.'

They condemned the transfer of control over the chaukidars from the panchayats to the District Magistrate as a most serious defect of the system. These principles were accepted by the Government of India without any reservation in paragraph 9 of Resolutions No. 248-259, dated 21st March, 1905 on the Commissioners' Report. The Government of Bengal as well as the late Government of Eastern Bengal and Assam also expressed their entire concurrence with the views of the Commission. They were adopted by the other provinces also.

The recommendations of the Police Commission were not absolutely fruitless. For in 1904 Mr. Savage was placed on special duty and introduced the president system which sought to free the panchayats from police influence and emphasised the essential character of the chaukidar as a village servant. But the advance really made was more illusory than real ; for we find that although the chaukidars were required to parade before the president at stated intervals, the regular parades at the thana were not dispensed with. Even this slight advance was resented by the police. What is more regrettable is that a hue and cry was raised against this modicum of reform in more responsible quarters. For the next few years the annual reports on the working of the police in Bengal emphasised the injurious effects of the president system on police administration and we are told that the influence of police in the villages was seriously weakened. To us it comes like a startling, restartling revelation that the influence and power of police should have ever weakened at any time after 1904. The agitation of the police and their supporters was, however, too powerful for the Government to resist. It will not

serve any useful purpose to discuss the different steps that have since been taken from time to time to restore police influence in the villages and secure closer control over the work of the panchayats and the chaukidars. Suffice it to say that the hand of the clock was given a set-back and some of the functions, including the holding of parades of chaukidars, had to be transferred from the president to the thana police. Thus, the considered verdict of the Police Commission and the Government of India strongly condemning the old plea for departmentalizing the rural police was quietly brushed aside with the result that the chaukidars to-day are essentially police servants. This is a typical case illustrating our old complaint that the wise and statesman-like decisions of the Government are not infrequently rendered nugatory by people whose narrow and personal interests and love of power make them blind to the interests of the people and the State. This and this alone can explain why the police have now a voice in the appointment of chaukidars, why ordinary and pay parades of the chaukidars are held at the thana and why the dafadar has been made a police officer and placed entirely under the superintendence of the police, the verdict of the Police Commission notwithstanding. The system of dual-control is based on a vicious principle. It is an elementary and immutable truth that one cannot serve two masters. The salaries and cost of equipments of chaukidars and dafadars will be paid by the villagers by local and compulsory taxation and shall be the first charge upon the union fund. It is, therefore, only just and proper that they should be essentially and completely village servants appointed, dismissed and punished by the union board. There is something very incongruous and fantastic in the idea that the villagers shall pay the salaries but will not have the power to appoint, dismiss or punish. Very important municipal, judicial and executive powers are now proposed to be conferred upon the union board. These are duties which they cannot perform without the loyal assistance of the dafadars and chaukidars. Clause 28A (now clause 26), therefore, has had to provide that the union board shall exercise a general control over the dafadars and chaukidars. But it passes our comprehension how the union board can exercise an effectual control over the dafadar and chaukidar unless the board is invested with the powers of appointment, dismissal and punishment. The remarks of the District Magistrate of Hooghly in this connection are very pertinent. He says 'practical experience has shown that the dafadars do not very often obey the chaukidari panchayats properly, as the latter have no power of punishment'. The expression 'general control' in clause 28A (now clause 26), may mean anything or nothing. We have got the said provision in section 41 of the Chaukidari Act, giving a general control over the chaukidars to the panchayat. But it is an admitted fact that they exercise no control over them. The system of dual-control was condemned even when the activities of the panchayat were of a very limited and restricted character. The objections to departmentalizing the rural police must, therefore, be very much stronger now, in view of the enlarged powers and extended activities of the village community.

The chaukidars are essentially village servants in Madras, Bombay and the Central Provinces. It is only in Bengal that there is a keen feeling that the dafadar and chaukidar should be placed in subordination to the police. Now the system of dual-control as it obtains in Bengal is only an ill-assorted compromise between the two conflicting schools of thought.

There is a consensus of opinion both official and non-official that the system of dual-control has been given a trial for a long time and that it has failed. Why then perpetuate the old blunder? What should be the position of the village watch in their relations to the village community on the one hand and to the regular police on the other? Let us face the problem manfully, let us make up our minds once and for all on this troublesome question, let us decide this question this way or that way, let us not fight shy of this problem,

let us give our verdict either in favour of the union board or in favour of the police, let us by all means avoid legislation of an indecisive and half-hearted character. Allow me to quote the opinion of the District Magistrate of Malda, * * * 'clause 24 seems to me positively a retrograde step. Under section 35 of the Chaukidari Act, both dafadar and chaukidar are to be nominated by the panchayat and, if satisfied with such nomination, the District Magistrate may appoint them. According to the recent Chaukidari Manual, the chaukidars are almost entirely controlled by the police. The new Bill appears to continue this complete police control of the chaukidars * * *'. In order to ascertain whether the nominee for chaukidar is satisfactory, the Magistrate will naturally turn to the report of the local Sub-Inspector. Similarly, the power of dismissal and punishment rests with the District Magistrate who will naturally base his order on police reports. Yet clause 22 (*1*) (*a*) states that the 'village committee shall exercise a general control over dafadars and chaukidars of the village'. How they will be able to exercise any control is hardly apparent. The proposal is to have a double control, but it is certain if these provisions become law, there will be only one control, and that by the police. From the police point of view it is excellent, but it is doubtful whether it will help to evolve the idea of village self-government for which the Bill is intended."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this amendment, in one aspect, is precisely the same as that which has just been moved and negatived and, on that aspect, I propose to say little. Like the last amendment it is now proposed that, in place of the right of nomination which they now possess, the union boards should be given the absolute right of appointment of dafadars and chaukidars; and in place of the right of dismissal which, subject to the approval of the District Magistrate, they now possess, they should be given an absolute right of dismissal. In the course of my reply to the previous amendment, I pointed out my objections to such a change, and those objections hold good in this case also. I do not, therefore, repeat them. But in one respect this amendment differs substantially from its predecessor, inasmuch as the latter proposed that, apart from these changes, the residuary powers of the union boards should remain, as now, with the District Magistrate. But this amendment goes further and says that the residuary powers should vest in the local boards, while the chaukidars should have a right of appeal against dismissal not to the District Magistrate but to the local board.

The question of chaukidari administration in Bengal, as I have said, is an ancient controversy about which there have been always two opinions, *namely*, as to what extent the chaukidar should be regarded as a village servant, and to what extent, in the interests of efficient administration, the District Magistrate and the police should be given control over him. On these two lines, the controversy has swayed from side to side during many years; but it has never been alleged in the course of that controversy, nor is it arguable on any historical basis, that the local board should come into the system. The local board is a municipal body which is appointed in connection with local self-government to perform certain municipal functions. It was not created for the purpose of supervision over chaukidars; it has no knowledge of the conditions under which chaukidars work, and, to my mind, it is in all respects unfitted to exercise these functions which the amendment seeks to thrust upon it. Therefore, this amendment is even less acceptable than its predecessor."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, so far as the questions of appointment, dismissal and punishment are concerned, there has been nothing said by Sir Henry Wheeler. Of

course, he has given his view of the matter in replying to the preceding amendment. I shall only draw your Excellency's attention and of the Members of the Council to the fact that throughout my speech I did not rely upon my own views in the matter. I tried to shew that from 1870 there was a lapse till 1892. Then again the Police Commission sat ; and then we come to the District Administration Committee. I have already stated the opinions of the Government of India and the Government of Bengal, and it has been universally held that full control ought to rest with the union board. Now there has been nothing said with regard to that portion of my speech. As regards this proviso that if the union board fails to appoint, the local board shall make the appointment, historically there is no precedent for it and I confess that. But the whole question is who should appoint in the first instance—whether the board or the police or the Magistrate—that is the initial question. Then the further question arises if the union board fails to make the appointment within a reasonable time, whether it is the local board, or the Superintendent of Police or the Circle Officer who should appoint. There my contention is this that in view of the provisions of the Bill and the underlying principle of this enactment, the supervision of the union board should be entrusted to the district board and not to the local board. That being a reasonable view about that side of the question as to who should supervise, it follows as a matter of course that it is the local board who should make the appointment. I have already submitted that various duties have now been given to the union boards and these are duties which the union boards cannot possibly perform without the aid of chaukidars and dafadars. The duties are not merely police duties, but also municipal duties and so on. Therefore, under the new law the power should be given to the local board to appoint when the union board fails to make the appointment within a reasonable time."

The motion was then put and lost.

AMENDMENT No. 59.

The President said :—

"Motion No. 59 is substantially the same as No. 57 which has already been decided by the Council."

The motion was then deemed to be withdrawn.

It was as follows :—

The Hon'ble Maulvi Abul Kasem to move that in clause 22A (now clause 20)—

(*a*) for the word "nominate" in line 2 of sub-clause (*1*) of clause 22A the word "appoint" be substituted, and the words "and the District Magistrate shall, if satisfied with such nomination, appoint such nominee" in lines 3, 4 and 5 of the same sub-clause be omitted ; and

(*b*) for the word "nominate" in line 2 of the proviso to that sub-clause the word "appoint" be substituted, and the words "or, if the District Magistrate is not satisfied with such nomination" in lines 3 and 4 of the same proviso be omitted.

AMENDMENT No. 60.

The Hon'ble Maulvi Abul Kasem had the following motion in his name—That the words "the District Magistrate or" in line 1 of sub-clause (*2*) of clause 22A (now clause 20) be omitted, and for the word "with" in line 2 of the same sub-clause the words "subject to" be substituted.

He said :—

"My Lord, it is only a small change which simply gives the power of dismissal to the union board subject to the sanction of the District Magistrate and makes the chaukidar directly subordinate to the union board. But this amendment will have absolutely no force when the others have been rejected. I, therefore, ask your Excellency's permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 61.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I do not wish to move the next amendment which stands in the name of the Hon'ble Maulvi A K. Fazl-ul-Haq. The motion was as follows :—

Clause 23.

If motion No. 57 be not carried, the Hon'ble Maulvi A. K. Fazl-ul-Haq to move that the words 'District Magistrate after consideration of the views of the' in lines 4 and 5 of sub-clause (*1*) of clause 23 (now clause 21) be omitted.

No other member being willing to move the motion, it was then deemed to be withdrawn.

AMENDMENT No. 62.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "District Magistrate" in lines 4 and 5 of sub-clause (*1*) of clause 23 (now clause 21) the words "district board" be substituted.

He said :—

"My Lord, I do not wish to make any remarks. It is just another aspect of the old question as to supervision and control by the district board over the establishment of dafadars and chaukidars."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I cannot commend the acceptance of this amendment to the Council, as it seeks to make a still more revolutionary and objectionable change. Clause 23 (now clause 21) of the Bill deals with the determination of the numbers and salaries of dafadars and chaukidars, together with the nature and cost of their equipment, and it vests the decision of these questions in the District Magistrate after consideration of the views of the union board. I have briefly indicated how these powers came to be placed in the hands of the District Magistrate after they had been exercised by the old *panchayats*, and it was found that that system had proved unsatisfactory. But the district board has never exercised these powers, and, as I have pointed out with reference to an analogous amendment in connection with the local board, the district board is unfitted to exercise these chaukidari powers, as it does not know anything about the conditions regulating the duties of dafadars and chaukidars, and no arguments can be adduced from history justifying the grant to it of powers over them."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing further to add."

The motion was then put and lost.

Maulvi Abul Kasem; Babu Akhil Chandra Datta; Mr. Kerr.

AMENDMENT No. 63.

The Hon'ble Maulvi Abul Kasem said :—

"I do not think it is any good moving this amendment. I, therefore, ask your Excellency's permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

The motion was as follows :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that for the words "union board" in lines 2 and 3 of sub-clause (*2*) of clause 23 (now clause 21) the words "local Government" be substituted.

AMENDMENT No. 64.

The Hon'ble Babu Akhil Chandra Datta moved that after sub-clause (*2*) of clause 23 (now clause 21) the following be added, namely :—

> "(*3*) The dafadar and chaukidar shall be the servants of, and entirely subordinate to, the union board, and shall exercise such powers and perform such duties as may be prescribed by this Act, under the direct control of the union board."

He said :—

"My Lord, the reason why I move this amendment is to be found in the following extract from paragraph 109 of the Report of the District Administration Committee :—

'In Bengal the Legislature had deliberately decided that in matters of watch and ward the chaukidars are to be subject to the orders of the panchayats, a provision which, we fear, is frequently overlooked, and we think that it is time for the position to be more clearly defined in this respect, for it is interpreted in different ways in different places.'

So, my Lord, this amendment has got the support of the recommendations of the District Administration Committee."

The Honb'le Mr. Kerr said :—

"My Lord, after what Sir Henry Wheeler has said in regard to previous amendments regarding the power of appointment of dafadars and chaukidars, I do not think it is necessary for me to explain at length why Government are unable to accept this amendment. It is perfectly true, as the Hon'ble Babu Akhil Chandra Datta has said, that the District Administration Committee expressed or endorsed the view that in matters of watch and ward the chaukidars should be subject to the orders of panchayats, but this amendment goes very much further than that. It says that dafadars and chaukidars shall be the servants of, and entirely subordinate to, the union board, and shall exercise such powers and perform such duties as may be prescribed by this Act, under the direct control of the union board. The effect of this amendment would be to withdraw the dafadars and chaukidars entirely from the control of the district authorities. I would remind the Council that we have in this Presidency outside Calcutta a regular police force of only 20,000 men to a population of 45 millions. The proportion of police to population is very much less than in other provinces, and this may be one of the reasons for the fact that in other provinces the village police are village servants and have little to do with the regular police. In Bengal we can only carry on with our small police force by linking the village police closely to the regular police. If the control of the executive authorities in the district over the rural police were removed it would be necessary to add very largely to

He said :—

"My Lord, it is only a small change which simply gives the power of dismissal to the union board subject to the sanction of the District Magistrate and makes the chaukidar directly subordinate to the union board. But this amendment will have absolutely no force when the others have been rejected. I, therefore, ask your Excellency's permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 61.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I do not wish to move the next amendment which stands in the name of the Hon'ble Maulvi A. K. Fazl-ul-Haq. The motion was as follows :—

Clause 23.

If motion No. 57 be not carried, the Hon'ble Maulvi A. K. Fazl-ul-Haq to move that the words 'District Magistrate after consideration of the views of the' in lines 4 and 5 of sub-clause (*1*) of clause 23 (now clause 21) be omitted.

No other member being willing to move the motion, it was then deemed to be withdrawn.

AMENDMENT No. 62.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "District Magistrate" in lines 4 and 5 of sub-clause (*1*) of clause 23 (now clause 21) the words "district board" be substituted.

He said :—

"My Lord, I do not wish to make any remarks. It is just another aspect of the old question as to supervision and control by the district board over the establishment of dafadars and chaukidars."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I cannot commend the acceptance of this amendment to the Council, as it seeks to make a still more revolutionary and objectionable change. Clause 23 (now clause 21) of the Bill deals with the determination of the numbers and salaries of dafadars and chaukidars, together with the nature and cost of their equipment, and it vests the decision of these questions in the District Magistrate after consideration of the views of the union board. I have briefly indicated how these powers came to be placed in the hands of the District Magistrate after they had been exercised by the old *panchayats*, and it was found that that system had proved unsatisfactory. But the district board has never exercised these powers, and, as I have pointed out with reference to an analogous amendment in connection with the local board, the district board is unfitted to exercise these chaukidari powers, as it does not know anything about the conditions regulating the duties of dafadars and chaukidars, and no arguments can be adduced from history justifying the grant to it of powers over them."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing further to add."

The motion was then put and lost.

end of clause 23 (now clause 21), the proviso which I have suggested may be added. Under clause 38 (now clause 37) it is discretionary, but here an additional charge is going to be imposed and it is natural that Government should contribute a definite sum and we should not depend upon the discretionary power of Government, but that they should undertake to pay a certain proportion. In that view I have suggested this proviso, and I hope it will be accepted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, at present, as is known to the Council, the cost of chaukidars and their equipment is borne by the chaukidari panchayets, and in future it will continue to be so borne by the union boards, under the scheme of the Bill. The Hon'ble Maulvi Fazl-ul-Haq had an amendment—No. 63—which would have thrown the whole of this cost upon the local Government, but the Hon'ble Maulvi Abul Kasem has just told us that he was not prepared to support such a proposal. The Hon'ble Babu Kishori Mohan Chaudhuri, however, is bolder, and he is willing to put forward that proposal to the extent of one-half, which, he says, the local Government should pay. It is not a new idea that Government should thus intervene. May I, therefore, read one or two objections that have been taken to it? We will go back to the District Administration Committee which made the following remarks :—

'Some witnesses have advocated the payment of the chaukidars from provincial revenues, the proceeds of the present chaukidari tax being diverted to purely village purposes, such as sanitation and the improvement of communications and water-supply. The proposal is an attractive one, but, in the present state of provincial finances it is unlikely that it would be seriously entertained. The cost of the rural police force in Bengal amounts to approximately 60 lakhs of rupees annually, or nearly as much as the total of the road and public works cess combined; and it is certain that, if the tax were abolished and the responsibility for the payment of the chaukidars assumed by Government, there would be an immediate agitation for an all-round enhancement of the rates of pay, which are admittedly low everywhere and in some places inadequate. It would be unwise to abolish the only existing form of local rating, especially as it has been accepted by the people and there is no agitation for its abolition, and any attempt to replace it by any other corresponding impost for a different purpose would, it is certain, be very difficult to carry through. * * * * The chaukidari tax has the great advantage of being assessed and collected by the people themselves without any intervention on the part of Government, while its elasticity renders it easily adaptable to self-taxation in order to meet the requirements of the village in other directions, such as the improvement of sanitation, communications and water-supply.'

So the District Administration Committee recognized certain obvious objections owing to the large sum of money involved, and even if the Hon'ble Babu Kishori Mohan Chaudhuri's proposal is accepted, it would run to about 30 lakhs of rupees, although that sum would at once increase, because as soon as Government took over the responsibility, they would be asked to pay the chaukidars more. But if Government were to assume this liability, they must obviously find the money somewhere. Now, what does Mr. Cotton say as to where that money is to come from if we are to accept this charge, and his remarks are of particular interest to my zamindar friends on this Council. He said in the course of a debate on the Act of 1892 on the occasion of a similar proposal—

'If this Act were introduced into all villages in Bengal, the total of the chaukidari rate to be collected would amount to a sum of not less than 60 lakhs of rupees. * * * * * This is a large sum of money which must be realized by some means, and the Government has considered how it can best be realized. Shall we continue the practice existing of collecting the rate, or shall we devise any other means? We considered what is done in other provinces. Now, what is done in the North-West Provinces? There the chaukidars are paid out of a rate which is levied on the zamindars for the purpose of paying for local objects—for communications, for dispensaries and many other purposes—and the law expressly says the village police are to be paid from it. A sum equivalent to 10 per cent. on the land revenue paid by the zamindar is the rate levied for such purposes in temporarily-settled districts, and that constitutes the source from which the

He said :—

"My Lord, it is only a small change which simply gives the power of dismissal to the union board subject to the sanction of the District Magistrate and makes the chaukidar directly subordinate to the union board. But this amendment will have absolutely no force when the others have been rejected. I, therefore, ask your Excellency's permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 61.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I do not wish to move the next amendment which stands in the name of the Hon'ble Maulvi A K. Fazl-ul-Haq. The motion was as follows :—

Clause 23.

If motion No. 57 be not carried, the Hon'ble Maulvi A. K. Fazl-ul-Haq to move that the words 'District Magistrate after consideration of the views of the' in lines 4 and 5 of sub-clause (*1*) of clause 23 (now clause 21) be omitted.

No other member being willing to move the motion, it was then deemed to be withdrawn.

AMENDMENT No. 62.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "District Magistrate" in lines 4 and 5 of sub-clause (*1*) of clause 23 (now clause 21) the words "district board" be substituted.

He said :—

"My Lord, I do not wish to make any remarks. It is just another aspect of the old question as to supervision and control by the district board over the establishment of dafadars and chaukidars."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I cannot commend the acceptance of this amendment to the Council, as it seeks to make a still more revolutionary and objectionable change. Clause 23 (now clause 21) of the Bill deals with the determination of the numbers and salaries of dafadars and chaukidars, together with the nature and cost of their equipment, and it vests the decision of these questions in the District Magistrate after consideration of the views of the union board. I have briefly indicated how these powers came to be placed in the hands of the District Magistrate after they had been exercised by the old *panchayats*, and it was found that that system had proved unsatisfactory. But the district board has never exercised these powers, and, as I have pointed out with reference to an analogous amendment in connection with the local board, the district board is unfitted to exercise these chaukidari powers, as it does not know anything about the conditions regulating the duties of dafadars and chaukidars, and no arguments can be adduced from history justifying the grant to it of powers over them."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing further to add."

The motion was then put and lost.

Babu Kishori Mohan Chaudhuri; The President; Maulvi Abul Kasem; Maulvi A. K. Fazl-ul-Haq; Babu Akhil Chandra Datta; Sir Henry Wheeler.

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"I was under the impression that the equipment was not included. Of course, I see that it involves a large sum of money, and in view of that and also a possible increase in the number of chaukidars and dafadars under the new Act, I want that the Government contribution, if any, should be stated here. To that extent I ask permission to amend my proposal."

The President said :—

"I am afraid I cannot allow amendments without due notice. It is not quite fair to the other Members of the Council."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"In that case I beg to withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 66.

The Hon'ble Maulvi Abul Kasem said:—

"My Lord, this amendment is identical with the one of which the Hon'ble Babu Akhil Chandra Datta has given notice, and I think it will be better if he moves it."

It was as follows :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that for the words "District Magistrate", in the two places in which they occur in clause 25 (now clause 22), the words "union board" be substituted.

The motion was, by leave of the President, withdrawn in favour of the Hon'ble Babu Akhil Chandra Datta's motion.

AMENDMENT No. 67.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "District Magistrate", in the two places in which they occur in clause 25, (now clause 22), the words "union board" be substituted.

He said :—

"My Lord, since I gave notice of this amendment, there has been some amendment made in the Select Committee sitting for the second time. It has been added, that 'the District Magistrate or the union board' as the case may be', so that it is now in a much better form than it was originally, and, speaking for myself, I have not the least objection that the District Magistrate should have the power to punish the chaukidar or dafadar, but what we apprehend, my Lord, is this, that the District Magistrate as a matter of fact will never, and can never, do it himself. The District Magistrate will have to delegate the power necessarily to the Superintendent of Police or to the Circle Officer; it is the thin end of the wedge. It is on that account, my Lord, that I press my amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the effect of this amendment would be to deprive the District Magistrate of all power to fine chaukidars and dafadars, while the Hon'ble

Member has himself said that he has no objection to the District Magistrate exercising that power. If so, I cannot see that any views he may hold on the subject of delegation can justify the acceptance of the amendment. He says that he recognizes that the District Magistrate must have the power, but the amendment would take it away from him. The District Magistrate has exercised this power in the past, and if any control by the District Magistrate is to be maintained, it is necessary that he should retain it. I, therefore, oppose the amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"I think, my Lord, I have been a little misunderstood. When I said that I had not the least objection to the District Magistrate exercising that power, I mean that he should exercise it himself. I have no objection to that, and if it is expressly provided that that power cannot be delegated to anybody else, I am prepared to withdraw my amendment. The District Magistrate will act upon the report of his subordinates, but he must not delegate the actual power of punishing to anybody else. In that case I have not the least objection. My objection is based upon that apprehension of the delegation."

The Hon'ble Sir Henry Wheeler said :—

"I may explain that the Hon'ble Member is really dealing with a subsequent amendment to the effect that the District Magistrate should not delegate the power of fine, and I think that his remarks would be more apposite when that amendment is moved."

The Hon'ble Babu Akhil Chandra Datta said :—

"The difficulty is that if that amendment is to be moved at this stage, we do not know what is to be its fate, and in the light of our past experience, the probability is that that amendment would be lost. That is the reason why I press this amendment."

The motion was then put and lost.

AMENDMENT No. 68.

The Hon'ble Maulvi Abul Kasem moved that after the word "Magistrate" in line 7 of clause 25 (now clause 22) the words "or by the union board" be inserted, and the words "or by the union board with fine not exceeding one-quarter of a month's salary" in lines 8, 9 and 10 of the same clause be omitted.

He said :—

"My Lord, my amendment is on the same lines as that of the Hon'ble Babu Akhil Chandra Datta, but it is a more modest one. The Bill provides that the District Magistrate has the power of fining the chaukidar or the dafadar up to a limit of a month's salary, and the union board has been given power not exceeding a quarter of a month's salary. I want to make both these powers of the union board and that of the District Magistrate equal. My reason is that one-quarter of a month's salary of a chaukidar drawing Rs. 5 or Rs. 6 would be a very small fine for the union board to deal with, as they will have full control over the chaukidars. I think it is unfair not to trust them with this small power which will be exercised by circle officers and other subordinate officers. I think they should be treated at least on the same level with the circle officers and that the board should have the same power. I hope this amendment will be accepted."

The Hon'ble Sir Henry Wheeler said :—

"The Council will remember that in the Bill as first revised by the Select Committee the union board was given no power of fining the chaukidar. Amendments in the direction of conferring that authority were filed, and when we re-examined the Bill we thought we might meet that wish by giving some right of fine to the union board, but at the same time we doubted whether their powers should be co-extensive with those of the District Magistrate. In the first place it is probable that the more serious offences and breaches of public duty committed by the chaukidar will come to the knowledge of the District Magistrate and be dealt with by him. The minor delinquencies which would come before the union board would not ordinarily merit severe punishment, and, therefore, it is not unreasonable to say that whereas the District Magistrate might fine up to a month's pay, the union board should only fine up to a week's pay. In the second place, it is the union board which pays the chaukidar, and if by a judicious system of fining they left the chaukidar *minus* any pay at all, the burden of assessment on the union would be to that extent lightened. That is a temptation to which the union board might conceivably yield if it was very hard up. Lastly, the chaukidar is not a very highly paid officer ; he only gets about Rs. 6 a month, and if that pittance is to be constantly reduced by heavy fines, his lot will not be a very happy one ; therefore, I prefer to leave the clause as it is. It only imposes a slight restriction on the powers of the union board."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I have nothing to add to what I have said, and if the Hon'ble Member does not accept the amendment, I do not wish to press it."

The motion was then put and lost.

AMENDMENT No. 69.

The Hon'ble Maulvi Abul Kasem in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, moved that the following proviso be added to clause 25 (now clause 22), namely :—

> "Provided that an aggrieved dafadar or chaukidar shall have a right of appeal to the District Magistrate, whose orders shall be final."

He said :—

'This is only a second reference on the question of about a quarter month's salary, and I think it will be accepted. That reference to the punishment meted out to the chaukidars by the union board ought to come before the District Magistrate on appeal. It is only a very small matter and I hope it will be accepted."

The Hon'ble Sir Henry Wheeler said :—

"Sir, this is rather a curious result of one Member moving another Member's amendment. When the Hon'ble Maulvi Fazl-ul-Haq filed this amendment, I think it was already intended to be consequential to amendment No. 66. Maulvi Fazl-ul-Haq wished the District Magistrate to have no power of fine, but would have given him the power of hearing an appeal from the chaukidar against a fine imposed by the union board. That is, as I imagine, what he meant by the amendment, but the Hon'ble Maulvi Abul Kasem's argument is that irrespective of the powers of the District Magistrate, so long as the union board can fine up to a week's pay, the chaukidar should equally have a right of appeal. That is quite arguable, and I have no

objection to giving a right of appeal if the Council wish it, though I doubt whether a chaukidar will be troubled to prefer an appeal against a fine of Re. 1 or 8 annas. However, I have no objection to the amendment."

The motion was then put and lost.

ADJOURNMENT.

The Council was then adjourned till the next day, Tuesday, the 8th April, 1919, at 11 A.M., at Government House, Calcutta.

A. M. HUTCHISON.

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA :
The 9th May, 1919.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 8th April, 1919, at 11 A.M.

Present:

HIS EXCELLENCY THE RIGHT HON'BLE LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. M. C. McALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

THE BENGAL VILLAGE SELF-GOVERNMENT BILL, 1919.

THE consideration of the amendments on the Bengal Village Self-Government Bill, 1919, was resumed.

AMENDMENT No. 70.

The Hon'ble Babu Akhil Chandra Datta moved that sub-clauses (*ii*) (*a*), (*ii*) (*b*), (*ii*) (*d*), (*ii*)(*f*), and (*ii*) (*h*) of clause 26 (now clause 23) be omitted.

He said :—

"These are clauses, my Lord, which give extensive powers to the village chaukidars ; these are powers which are given to police-officers by section 54 of the Criminal Procedure Code, and there is a large body of opinion, both official and non-official, that these powers could not be safely given to the village chaukidar. The existing law on the subject is to be found in section 39 of the Chaukidari Act in which these clauses do not occur. There is no reason, my Lord, why a departure should have been made in this direction and such extraordinary powers given to a subordinate in the position of the village chaukidar. For instance, clause (*a*) runs thus : 'Any person who has been concerned in any cognizable offence or against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists of his having been so concerned'. There are very wide and extensive powers which are very likely to be abused by the chaukidar. These powers are in fact so large that they are not safe, even in the hands of a police-officer, but in the case of a police-officer there is no other alternative and we must invest the police-officer with these powers, but in the case of the chaukidars they are much more risky. I have consulted many experienced deputy magistrates who have had enough personal experience in the administration of the Criminal Procedure Code and the Chaukidari Act, and they are of opinion that it will be extremely dangerous to give these powers to the chaukidars and there is no reason why these powers should be given to the chaukidars. Some of those powers have been omitted because it was recognised that the chaukidars should not be expected to possess sufficient knowledge to exercise these powers. For instance, sub-clause (*f*) runs thus : 'Any person reasonably suspected of being a deserter from His Majesty's Army or Navy or of belonging to His Majesty's Indian Marine Service and being illegally absent from that service'. . . . I do not know, my Lord, if any of the village chaukidars are expected to know what the law is on the subject, and to judge as to who a deserter is from His Majesty's Army or Navy and even as regards sub-clause (*a*) and sub-clause (*b*) is it for the chaukidar to decide and understand all these matters, and as regards the burden of proof, how is that burden to be discharged? That is an additional reason why these people should act under the control of the union boards. As the Bill stands now the members of the union board, have not, nor has the president himself, been given these powers. It seems to me rather unreasonable that the village chaukidar should be given powers which are withheld even from the president of the union board. Now referring to the opinions on the subject, I find that the Commissioner of the Rajshahi Division says : 'I am not in favour of raising the status of the village chaukidar to that of a police-officer'. There are other officials who have expressed the same opinion. For instance, the Subdivisional Officer of Noakhali says : 'Section 39 of the Chaukidari Act gives certain powers to the chaukidars and I find in this clause additional powers are being given to the chaukidars : . . . . . this is really giving them too much power', and so on. As regards non-official opinion, I find that the District Board of the 24-Parganas has

expressed its opinion that this clause should be omitted, as the powers conferred by them on the dafadars and chaukidars may lead to unnecessary harassment and oppression. The British Indian Association says: 'This clause should be omitted; very wide powers have been given to dafadars and chaukidars to arrest people without an order from the Magistrate. It would not at all be safe to entrust them with these powers as they might harrass people unnecessarily on the alleged ground of suspicion, and the powers proposed to be given to them might lead to bribery and corruption.' The District Board of Bakarganj says: 'The Board were not prepared to give such an extensive power of arrest to the dafadars and chaukidars as are contemplated in sub-clause (*a*) of this clause and they accordingly suggested that sub-clause (*a*) of clause 26 (now clause 23) should be omitted altogether.' The Bengal Landholders' Association is of the same opinion. It says: "This clause gives very wide powers to the chaukidar who is likely to abuse his power". So, my Lord, this is rather an important matter—the question of giving such wide powers to the village chaukidar—and I move that this clause be omitted.

The Hon'ble Mr. Kerr said: —

"My Lord, the object of this amendment is to withdraw from the village police certain powers which it is proposed to give them under this clause of the Bill. It is true, as the Hon'ble Member has pointed out, that these powers are not precisely the same as those which chaukidars at present exercise under section 39 of the Village Chaukidari Act, but I may point out that the Chaukidari Act was passed in 1871. The powers which we now propose to give to the village police are those exercised by ordinary police constables under section 54 of the Criminal Procedure Code which was passed in 1898. We may take it that the Criminal Procedure Code represents a more modern and up-to-date view of the powers which police constables ought to have than the Chaukidari Act which was passed in 1871. The powers, as I say, which we propose to give chaukidars, are those which are exerciseable by ordinary constables. We have omitted one clause, the seventh sub-clause of section 54 of the Criminal Procedure Code, that deals with extradition, because the Select Committee thought this might be rather a complicated matter for the village chaukidar to deal with, and moreover cases of that kind very seldom occur in a village. If the Council will allow me, I would like to go through the powers which we do propose to give the village chaukidar. In the first place, the chaukidar at present has the power under the Chaukidari Act to arrest a proclaimed offender or any person who in his presence commits any offence under schedule B, that is to say, one of the more serious offences, also any person against whom a hue and cry has been raised of his having been concerned in such an offence in the village or outside of it, and to convey such person to the police-station. Well, now we propose to give the chaukidar power to arrest any person concerned in any cognizable offence or against whom any reasonable complaint has been made or credible information received or a reasonable suspicion exists of his having been so concerned. The Hon'ble Member argues that a chaukidar will not know what a cognizable offence is, but in a village thefts and burglaries are the main cognizable offences, and as a matter of fact, anybody who lives in a village will tell you that the chaukidar does exercise these powers at the present moment, and he must do so if he is going to protect the villagers against the depredations of thieves and burglars. All we are doing is to say that he shall exercise these powers. Then the next point is that at present the chaukidar is required, to the best of his ability, to prevent the commission of any of these offences. We propose to give him, in the language of the Criminal Procedure Code, power to arrest any person having in his possession any implement of house-breaking or in whose possession anything may be found which may

easonably be suspected to be stolen property. That is simply a definition and n some respects a limitation of his existing powers to prevent the commis-ion of offences against property. The other powers which we propose to give o the chaukidar are not exactly covered by anything in the existing Chaukidari ct, but they amount to this, that the chaukidar should be authorised to rrest any person who obstructs a police-officer in the execution of his duties, r any person who has escaped or attempts to escape from lawful custody, or ny person who is reasonably suspected of being a deserter from His Majesty's rmy or Navy, and any released convict who breaks the conditions of his elease under section 565 of the Criminal Procedure Code. I submit, my Lord, hese are all very simple powers. The Hon'ble Member enquires how the haukidar is to know who is a deserter from the Army or Navy. The answer o that is that the description of a man who deserts from the Army or Navy is ublished in the Gazette, and at the local police-stations, and there can be no eason to anticipate difficulty on this score. I would suggest therefore that ll these powers are powers which may reasonably be granted to the village haukidar. The Hon'ble Member says that we are not going to grant these owers to the president of the union board and therefore it would be illegal r improper to give them to the village chaukidar. I submit, Sir, that there s nothing in the analogy between the president and the chaukidar. We do ot want to make the president into an amateur policeman. Your Excellency as not got these powers. I have not got them, nor has the Hon'ble Babu Akhil handra Datta, but that is no reason why the chaukidar should not have them. hese powers are entrusted already to police constables who may exercise hem in a village away from the control of superior authority. The village haukidar, on the other hand, will be subject to public opinion, he will be ubject to the control of the president and the members of the union board, nd he is much less likely to abuse his power than an ordinary constable who nay be working by himself. I suggest therefore that we do not run any ndue risk in entrusting these powers to village chaukidars, and that there is o necessity to alter the clause placed before the Council by the Select ommittee."

he Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I wish to make one observation with regard to this amend-nent. Blood is said to be thicker than water, and I think self-interest and nterest of self-preservation will always prevail over any other consideration. We ought to remember that the chaukidar is the tenant of a man in the village and he is more often than not the debtor of a money-lender. What-ever powers we may give to the chaukidar, we ought to remember that he may be made an instrument of their oppressive masters through the instru-mentality of his landlord and the unscrupulous money-lender. That is a great danger no doubt. Mr. Kerr has said that the chaukidar would be subject to public opinion. I do not think much of public opinion in the village. Besides where there is a powerful agency like the landlord and the money-lender, I do not think the chaukidar will be very much amenable to public opinion. That is a source of danger which I feel very seriously in the matter of this amendment."

he Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, one of the arguments advanced by the Hon'ble Mr. Kerr is that although these powers are in excess of the power which are now enjoyed by the village chaukidar, yet it should be remembered that those powers were conferred in 1871, and that we are now in 1919. I do not think that that is an argument which can be appreciated because in that case 20 years after another legislation will be introduced and powers not only of police-officers under clause 54 (now clause 49), but far more extensive and

larger powers might be given to the chaukidar on the ground that these powers were given to them in 1919. That is not the point, however; there is a certain limit beyond which powers cannot be granted to officers whether high or low. Regard being had to the education and position of the chaukidars in life, the question is whether these large powers can be conferred on them. What after all, is the village chaukidar? He is nothing but a menial servant of the landlord or of the mahajan as has been pointed out by the Hon'ble Babu Ambika Charan Mazumdar, or he is the servant of the daroga. To invest him with the powers of arresting without an order from the Magistrate any and everybody in the village; is a power of which we are really afraid. As regards the argument of public opinion I may say that public opinion in the village is divided into two factions. The public opinion in the village means the opinion of different factions, and if he is to follow the opinion of one faction, it cannot be said that he is amenable to public opinion, so that does not mean very much. This is a legislation intended for the benefit of the villagers, and for the people of the country. From information I have collected and from the opinions expressed by non-official gentlemen and public bodies of the province, and regard being had to the opinions also expressed by responsible officials, including the Commissioner of the Rajshahi Division, I would ask for whose benefit this provision is going to be made. Those villagers for whose benefit it is intended to enact this particular provision do not want or appreciate it. On the other hand, they say it is extremely risky and hazardous. In view of that, is it safe to make a departure in this direction from the existing law? And what is the case that has been made out in support of this departure? Who wants it, and for whom is this legislation? Therefore, My Lord, this question of public opinion does not matter very much. Public opinion of the province collected in these two volumes is against this measure; does that public opinion count for very much in this Council? After all the chaukidar is an uneducated man; what does he care for public opinion if he is quite safe, if he could satisfy his landlord, his daroga, his mahajan? My Lord, when I moved this motion, I knew that unless the Government accepted it of their own accord, there was no chance of its acceptance by the Council. It is an extremely important measure, affecting the everyday life of every man in the province, and affecting the province as a whole: it is a measure of very wide application and immense importance. Regard being had to that fact, and to the opposition of the public against this new provision, I say that no case has been made out in favour of this provision, and at least we should be on the safe side, so that I still hope that the Hon'ble Mr. Kerr will be pleased to take into consideration the views, not the views that I have expressed, but the views collected in the two volumes, both of official and non-official gentlemen.

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"Could these sub-clauses be put separately? Some of us have difficulty in regard to them."

The Hon'ble Mr. Kerr said :—

"It would create considerable difficulty if they are separately put."

The President said :—

"Supposing all the clauses fall out, there is no substitute for them. I do not quite see the force of the Hon'ble Mr. Kerr's argument. I have no objection in putting the amendments part by part."

The motions to omit each sub-clause were then put separately and lost.

AMENDMENT No. 71.

The Hon'ble Babu Akhil Chandra Datta also moved that for sub-clause (*ii*) (*e*) of clause 26 (now clause 23), the following be substituted, namely :—

"(*ii*) (*e*) any person who, in the view of the chaukidar, obstructs a police-officer while in the execution of his duty or who, in the view of the chaukidar, has escaped or attempts to escape, from lawful custody."

He said :—

"As the clause stands now, any person who obstructs a police-officer while in the execution of his duties, or who attempts or assists the escape of any person from lawful custody can be arrested. As it stands it is more or less a matter of judgment by the chaukidar whether a particular man has obstructed a police-officer or has escaped or attempts to escape from lawful custody. That is a power which I think is rather too wide, and at the same time to prevent such escapes I propose that when an offence is committed by a man in the presence of a chaukidar and when the chaukidar actually sees a man obstructing a police-officer or escaping from lawful custody, then in that case only he may be given power to arrest."

The Hon'ble Mr. Kerr said :—

"My Lord, under this clause, as it stands in the Bill, the village chaukidar is given power to arrest any person who obstructs a police-officer while in the execution of his duty, or who has escaped from lawful custody. The amendment proposes to limit these powers to cases of persons who commit any of these offences, or who attempt to commit any of these offences in view of the chaukidar. This alteration in the clause would be very inconvenient in practice, and I must say that I do not see the necessity for it. Let us see how it would work in practice. In the first place, a police-officer going to a village, would ordinarily be accompanied by one of the village chaukidars ; when an obstruction takes place, his natural inclination would be to send for assistance, and he would send for the other chaukidars of the union to come and give him assistance. The chaukidars come up and the obstruction stops. Under the clause as it will stand if amended as proposed by the Hon'ble Member, the chaukidars, not having seen the obstruction, would be unable to render any assistance at all. Similarly, in the case of an escape, there would be a hue and cry raised in the village ; the man would be running away across the fields, but the chaukidars who saw him would not be able to arrest him simply because they had not seen him actually escaping from lawful custody. This sort of provision would lead to endless arguments in the Courts as to whether the chaukidars had actually seen the actual obstruction or the actual escape and would make the working of the law extremely uncertain. I submit, therefore, that the amendment would be inconvenient in practice and no practical reason has been shown for its necessity."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, in some cases the chaukidar will not be able to help the police as he would otherwise be able to help if the clause stands in its present form. But at the same time the question is whether that is a power that can safely be given, taking into consideration all the circumstances. For instance, one constable may want something from a man : he may not give that, then he wants to extort the money from him and wants to bring some pressure to bear upon him, and then in order to accomplish his purpose he may send for the chaukidar and tell him that that man was obstructing him and so on.

So that is a case in which a constable may take advantage of a provision like this. The whole question is not whether in any particular case this provision will work some good, but the question is whether taking all things and all circumstances into consideration what the line of action is which the balance of evidence suggests. As in all cases of legislation, so in this particular case there are two sides and the business of the legislature is to see wherein lies the balance of evidence and advantage. My contention is that weighing all the advantages and disadvantages, the safer course would perhaps be not to legislate like this."

The motion was then put and lost.

AMENDMENT No. 72.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, in view of the fate of some other amendments that have been moved before, I do not wish to press this amendment and with your Excellency's permission I would like to withdraw it."

The motion was as follows :—

"that sub-clause (*1*) (*ix*) of clause 26 (now clause 23), be omitted."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 73.

The Hon'ble Babu Akhil Chandra Datta also moved that the word "and" at the end of sub-clause (*1*) (*x*) of clause 26 (now clause 23), be omitted, and after that sub-clause the following be inserted, namely :—

"(*xa*) he shall serve civil, criminal, and revenue processes and processes issued by officers of the registration department upon persons resident within the union subject to such rules as may be prescribed under section 111 ; and"

He said :—

"My Lord, on this question instead of giving my own views I would prefer to give the views and recommendations of the District Administration Committee recorded on page 112. It is not a new proposal as the system has been tried and tried with success. This is what the District Administration Committee said :—

'The experiment was abandoned in Rajshahi also. It was continued and is still in force in Hooghly, Dacca and Tippera, in which district special officers have been working under Mr. Gupta. The local officers are anxious that the system should be continued, and from what we have seen and heard we have no doubt that the experiment is proving a success. In their Resolution No. 2487P. D. of the 22nd November, 1911, the Government of Bengal remarked that the system is infinitely superior to the practice of service through peons, stating as their reasons for this opinion that a certain amount of local publicity is given to the process ; the president and dafadars are amenable to local public opinion ; they do not need the assistance of the plaintiffs' men, and therefore, on the whole, the probabilities of fraud and suppression are considerably reduced. Mr. Gupta considers that the results so far are extremely hopeful and there is a consensus of opinion that, with the appointment of a secretary or munshi to assist the panchayat and with proper supervision and adequate postal facilities, the goal to be aimed at is

the extension of the system not only to a certain class of criminal processes but also eventually to civil processes.'

Apart from the advantages which have been mentioned by the District Administration Committee in their report there is a further advantage that the service of these processes will bring something to the union board. The financial difficulty of the union board will be somewhat relieved although it will not be relieved very appreciably. Therefore, both in the interest of the public directly and also in the interests of the union board this proposal should be accepted. It requires no advocacy from me to induce Government to accept this proposal because I find from the report of the District Administration Committee which I have just placed before the Council that that was precisely the position taken up by Government in 1911. The Government remarked that the system was infinitely superior to the practice of serving processes through peons. Therefore, my Lord, I hope at all events this amendment will be accepted by Government."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this amendment touches upon quite a useful possibility of utilising the services of chaukidars and dafadars, and it is a possibility towards the realisation of which some experimental steps have already been taken. I mentioned yesterday the fact that in 1905 Mr. Savage was placed on special duty with a view to developing the possibilities of village self-government. The service of processes, other than those for distraint and sale and personal arrest, through chaukidars was initiated by him, and it was gradually introduced in the districts of Dacca, Tippera, Rajshahi and Hooghly as also in Balasore and Muzaffarpore which were then within Bengal—though, of course, they are now no longer in this Presidency. As regards Eastern Bengal, it was decided in 1907 to continue the experiment, and a rate of remuneration for dafadars and chaukidars was fixed. In 1907 the scheme was extended to Puri and in 1912 to Cuttack. It failed in Muzaffarpore and was abandoned in 1911, because no one was particularly enthusiastic about it and there was no adequate supervision over the work of dafadars ; subsequently it was abandoned in Rajshahi also, but it was continued in Hooghly, Dacca and Tippera. In 1911 this Government expressed an opinion favourable to the system, generally on the grounds that have been referred to by the Hon'ble Member, namely, that there was less likelihood of malpractices on the part of dafadars and chaukidars, as they had local knowledge and were amenable to local influence ; the probability was that they would run straighter than outside peons. At the same time, there had been failures and there were frequent complaints of unpunctuality. The financial aspects of the change, in comparison with the ordinary procedure, also required further elucidation. The question was examined by the Conference of Commissioners in 1912, and practically the system is now working in most of the areas in which there are circle officers, those being the areas in which a supervising agency exists, and it is on proper supervision that it has been found that success very largely depends.

Since we are all at one as to the possibilities of the system, it may be said why did we not provide for it in the Bill ? I gather that those who framed the Bill refrained from doing so because they thought the matter was to some extent experimental, and so far as experiments were being conducted, they were in progress under executive orders. There is also another difficulty which we have to bear in mind ; under the Court Fees Act the fixing of fees chargeable for the execution of processes, civil and criminal, and the remuneration of peons and of all other persons employed in the service and execution of processes are governed by rules framed by the High Court. Therefore, in anything we do we shall have to be consistent with the powers of the High Court, presumably by obtaining their preliminary consent to any

change we desire to make. If the High Court do not approve of the change, then under the Court Fees Act they can effectually debar us from further action. I should mention that when I spoke of processes at present thus served, I meant revenue processes, not criminal and civil processes. Of course, in revenue processes we have a freer hand, but in civil and criminal processes we have to be guided by the High Court.

There is the further question of uncertainty as to the cost, namely, whether service of this description may not turn out to be more expensive than our present system. However, I think it is worth while making mention of this matter in the Bill, and I am willing, therefore, to accept the amendment, but I think its form could be improved. I do not much care about enumerating different kinds of processes, especially when, as I have said, we have to remember the High Court's rules in respect of civil and criminal processes, and I should prefer to put the amendment more generally in this form :—

'He shall serve such processes upon persons resident within the union as may be prescribed by rules under section 111,'

I think this will meet the Hon'ble Mover's object. We avoid specifically mentioning the kind of processes ; and I take it that in the matter of civil and criminal processes we shall have to get the High Court to make rules to permit of the new procedure. In the above form, I shall be glad to accept the amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, the form recommended by the Hon'ble Member in charge of the Bill is acceptable to me."

The motion was put in the following amended form and agreed to :—

"That the word 'and' at the end of sub-clause (*1*) (*x*) of clause 26 (now clause 23) be omitted, and that after that sub-clause the following be inserted, namely '(*xa*) he shall serve such processes upon persons resident within the union as may be prescribed by rules under section 111 ; and'"

The Hon'ble Sir Henry Wheeler said :—

"My Lord, when we come to clause 111 (now clause 101), I shall ask your Excellency's permission to introduce a consequential amendment."

AMENDMENT No. 74.

The Hon'ble Babu Akhil Chandra Datta moved that for sub-clause (*2*) of clause 26 (now clause 23) the following be substituted, namely :—

> "(*2*) Every dafadar shall exercise all the powers conferred on a chaukidar under sub-section (*1*) and such other powers as may be prescribed by rules made by the district board, and shall perform such duties as may be imposed upon him by rules made by the district board."

He said :—

"My Lord, so far as the first sentence is concerned it is exactly the reproduction of the original clause and then the divergence begins from the second sentence 'and such other powers as may be prescribed by rules made by the District Board.' My object of bringing in this portion is this : that the duties of the chaukidars have been defined, in this Bill at length, but the duties of the dafadar have not been so clearly defined. Of course under this clause every dafadar shall exercise all the powers conferred on a chaukidar under sub-clause (*1*), but there is after all some difference between the position of a dafadar and that of a chaukidar. I think that is the fundamental

point, otherwise there is no reason why a dafadar should have been brought into existence. It is well known that although there are dafadars in existence even at present but as a matter of fact there was no legislation on the subject. They have been brought into existence under circumstances the validity of which has sometimes been questioned, but, in any case, there is no law codified on the subject as regards dafadars. But this point is very clear that it is intended that there should be some difference between the position of a chaukidar and that of a dafadar; otherwise there is no reason why a dafadar was originally introduced and why a dafadar has now been given a statutory function in this Bill. And the general proposition is, and that has been accepted by the Bill, that the dafadar holds a position over the chaukidars and therefore in actual practice there may be occasions when the powers exercised by the chaukidars may not be sufficient for the dafadars. In order to remedy that defect I have proposed that they shall exercise such other powers as may be prescribed by rules made by the district board.

Then there remains the other portion as regards the duties of the dafadars. As it stands it is this 'and shall perform such duties as may be imposed upon him by rules made by the district board.' Now, my Lord, it is rather difficult to understand why the powers have been defined by the Bill itself but not the duties. As regards the duties of the dafadars they have been delegated to the rules to be made under section 111 (now section 101). Powers are necessary to be defined in the Bill itself as the duties. My amendment does not meet that difficulty as I have not been able to suggest what the definite duties should be but I must confess that my difficulty was that I had to send notice of my amendment without sufficient time, and besides I must also confess that it is not very easy for me to sit down and prescribe the duties as it is so easy for the framers of the Bill and others whose duty it was to do that. I labour under various disadvantages which they do not, and I must confess that I was not equal to that task. I have simply proposed that the dafadar shall perform such duties as may be imposed upon him by rules made by the district board. The only difference is that the rules should be made by the district board and not made under clause 111 (now clause 101).

With these words, My Lord, I beg to commend the amendment for the acceptance of the Council."

The Hon'ble Mr. Kerr said :—

"My Lord, perhaps it will assist matters if I explain briefly and in general terms what the duties and position of the dafadars are. The dafadar is a creation of the last 15 or 20 years. Before that each individual chaukidar worked individually with the police at the police-station and with the panchayats in the village. This arrangement was found unsatisfactory as it was difficult for the police and the panchayats to deal with a large number of individual chaukidars, and so the dafadar came to be evolved. The dafadar is simply a head chaukidar; he is a non-commissioned officer in charge of a squad of 10 or 12 chaukidars; his business is to act as a link between the chaukidars and the police and between the chaukidars and the panchayats. He conveys orders to the chaukidars, arranges for their duties, goes round and collects information and reports from them and passes them on to the proper authorities. That, my Lord, is a general description of the functions of a dafadar, and that being so, I think the Council will see that it would be very difficult to embody it in any legal enactment. That is the reason why we have said in this Bill that the dafadar shall have all the powers of a chaukidar and that his other duties shall be regulated by rules. So far I think the Hon'ble Member and myself agree. The only difference between us is that in the Bill it is proposed that these rules should be framed by Government, while the Hon'ble Member would like to have them framed by the

district board. I explained yesterday why it was not possible to hand over the village police generally to the control of union boards and local boards, and precisely the same arguments apply to this proposal that the dafadars should be handed over to the control of district boards. I shall not repeat what I said yesterday, but there are special objections to handing over police duties to district boards. The district boards have never had anything to do with the police, either the regular police or the rural police, and it is not intended in this Bill to make a new departure in this respect. The Bill deals only with union boards, and the proposal to enlarge the functions and duties of district boards in this particular way is not one which Government could accept. District boards are not at present constructed in such a way as to make them fit bodies to exercise duties in connection with the police, and this Bill does not propose to alter their constitution in any way. For these reasons, Sir, I oppose the amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, this motion is opposed on the ground that Government are not prepared to make over dafadars to the district board. Now clause 47 (now clause 46) of this Bill lays down—'provided that the salaries and cost of equipment of dafadars and chaukidars shall be the first charge upon the union fund.' It is the union board who will pay the dafadar's salary and so on. Not only they will pay, but the salary of the dafadar will be the first charge upon the union fund. That being the position, certainly it is only fair that dafadars should be the servants of the union board. That is my first point.

Then the next point is if once they are the servants of union boards and if any rules are to be prescribed about their duties, then it is only fair that these rules should be framed by the union board, and if union boards are not at present in a position to frame rules and if they are not considered to be competent, then the next best thing is that these rules should be framed by the district board under whom the union board will act. The whole plan of this measure, if I understood it aright, is this : we shall build from the bottom. The initial stage is the foundation of the union board, next comes the local board and after that comes the district board. That being the evolution—that being the scheme of the Bill—it is only proper that rules should either be first framed by the union board and if for any reason that body is not considered competent then the rules should be framed by the district board. As they will pay it is only proper that they should dictate as to what should be their duties and what should be their powers."

The motion was then put and lost.

AMENDMENT No. 75.

The Hon'ble Maulvi Abul Kasem moved that after the word "situated" in line 4 of clause 27 (now clause 24) the words "or to the president of the union board" be added.

He said :—

"A little while ago, my Lord, an attempt was made to curtail the powers of the chaukidar on the apprehension that these powers will be abused and that people may be unnecessarily oppressed. By this amendment I suggest to minimise the abuse of power and to minimise the chances of harassment. In the Bill as it is, a chaukidar after arresting a person can take him to the police-station, but the police-station may be situated at a distance of 8 or 10 or even 12 miles from the place where the man was arrested, and it will cause unnecessary harassment to the man if he is proved innocent. On the other

hand, I suggest that he should be taken over to the police-station or to the house of the president of the union board, because the latter will be near at hand and in that case if the president of the union board finds that the arrested person should be taken to the thana, then he will direct the chaukidar to do so, and in that case some sort of responsibility will fall upon his shoulders, and as he is a man of responsibility and amenable to public opinion, and it is expected that he will not be a tool in the hands of a particular faction or a particular individual, high or low. Therefore in order to be on the safe side, I suggest that this amendment be accepted, because after all there is another proviso that if arrests are made at night, then the person arrested shall be taken as soon as convenient on the following morning, but where is the arrested person to be kept? If the direction is to take him to the president, he may be kept in the house of the president, as he may have sufficient accommodation for the arrested person, while the chaukidar scarcely has sufficient accommodation for himself and his family. The main object in moving this amendment is to give a chance to the person to be taken to the president of the union board so that the chaukidar may not have any unrestricted discretion in taking a person a long distance to the thana and thus causing him harassment. When the amendment for curtailing the powers of chaukidars was moved, it was stated, and there was a good deal of reason in that statement, that the chaukidar may unnecessarily cause a person to be harassed. In this country an arrest means disgrace, even if the arrested person is proved innocent afterwards. In this case if a man is arrested or taken to the thana or detained for a long period, it will cause great inconvenience to the people and it may even happen that simply to cause a loss to a person or to his interest, a man may be arrested and taken to the thana. For instance, if a person has got a civil case in a court in the headquarters of the district or subdivision, and a man under whose influence the chaukidar is is interested in seeing that this man does not present himself before the court on that particular day, it may be easily arranged; that man is arrested and taken to the thana and by the time he is taken to the officer in charge and is proved innocent and released by him, his case might have been lost. The only harm that can come to the chaukidar is that the District Magistrate after he is informed of such a case will dismiss the chaukidar, but the dismissal will not mean much to him. I, therefore, submit that if this amendment is accepted, it will be a safeguard against these abuses of the chaukidars or the men whose instrument he is."

The Hon'ble Mr. Kerr said :—

"I think, my Lord, the Hon'ble Member has read into this amendment a good deal of matter which it really does not contain. In the first place, he assumes that if his amendment was passed, the chaukidar would be bound to take an accused person to the president of the union board. That, as I understand the amendment, would not be the case; it would be optional with the chaukidar to take the accused either to the police-station or to the president, so that the chaukidar could use his discretion in the matter. In the second place, the Hon'ble Member seems to assume that the president would have the power to order the release of an accused person and to tell the chaukidar not to take him to the thana, but there is nothing about that in the clause either. There is nothing giving the president power to examine the merits of the arrest and to decide whether a *primâ facie* case against the accused person had been made out; and very rightly so, because obviously if you give the president a power of that nature you at once convert him into an investigating officer. Thus, these two points which the Hon'ble Member has made much of are not provided for in the amendment at all. All that the amendment says is that the chaukidar can take the accused person to the president on his

way to the thana, and I ask the Council to consider whether a provision of that kind would really be in the interests of the accused. The Hon'ble Member says the accused person may have to walk 10 or 12 miles to the thana. Well, the president's house may be situated 6 or 8 miles away from where the arrest is made and in the opposite direction to the thana, so that the chaukidar exercising his discretion under this amendment might cause the unfortunate accused person to walk 12 or 16 miles further than he would otherwise have to do. Then the president might not be found, or he might want to exercise those powers which the Hon'ble Member wants to give him but which the amendment does not give him. He might want to enquire into the case, and all that means more delay and harassment to the unfortunate accused. I submit, my Lord, that it is much better to stick to the simple provision in this clause in the interests of the accused person himself, and to say that when a chaukidar or dafadar does arrest a man he should take him forthwith to the police-station."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, before the motion is put to the vote, I desire to have some information both from the Hon'ble Mover and the Hon'ble Member who replied on behalf of Government. In the first place I must sympathise with the general observations of the Hon'ble Mover, but there are some difficulties. My hon'ble friend has said that when a person is arrested he may not be taken to the police-station because it would be convenient to the chaukidar to take him to the president of the union board. But it is just possible that he may not find it convenient to take him to the president of the panchayat. In the proviso it is added that if the arrest is made at night the person so arrested shall be taken to the thana on the following morning ; so it is quite discretionary with the chaukidar to keep the man in his house and to take him the next morning to the thana. But there is another point. What is to be done with the man in the meantime? Supposing a man is arrested at 9 o'clock at night ; the chaukidar has not sufficient accommodation to keep the accused person with him all night, nor can he afford to feed the man at night, in addition to his own family. What are the contingencies provided for here. The Hon'ble Mr. Kerr says that the president of the panchayat has no power to go into the merits of the case, but what about the arrangements to be made for 8 or 10 hours when the man is to be kept by the chaukidar, how is he to be kept and fed? Quite apart from this amendment, I think the Hon'ble Member might explain these points, for I have not been able to comprehend them."

The Hon'ble Sir Henry Wheeler said :—

"I do not know, Sir, whether the Hon'ble Rai Radha Charan Pal Bahadur is supporting the amendment or opposing it, or whether he is merely in search of light on *mufassal* conditions. I think he is needlessly creating difficulties in stating hypothetical cases which in practice solve themselves without difficulty. There is one fairly practical proof of this in that this clause is merely a repetition of section 40 of Act VI of 1870, which has been working all these 49 years without grave practical inconvenience. There is all the difference in the world between an amendment which would definitely encourage the chaukidar to take an accused person to the president of the union board (to which there are the objections which Mr. Kerr has enumerated), and a proviso which, after all, is merely a matter of common sense. The chaukidar is directed to take a man at once to the thana when he arrests him ; it may be, however, that the man was arrested at night and could not be taken to the thana at that time. The proviso then instructs him to take the arrested man to the thana the next morning. What the chaukidar does in practice is to make such arrangements for the detention of the

man as are most convenient ; he may keep him in a zemindar's kutchery, or in a house or a hut, whatever is handiest. It is a matter of practical working to be dealt with at the discretion of the man on the spot, as it has been dealt with without trouble for the past 50 years. Therefore, Sir, I cannot appreciate the point that has been raised, for it does not affect in any way the arguments which Mr. Kerr has used, to which I may perhaps add one more. Among the recommendations made by Mr. Savage, to which I have previously alluded, one was rather in the direction of encouraging the president to interfere in the investigation of crime, but when I made my inquiries, I found that nothing but confusion and trouble and friction between the police and the panchayat had resulted from that arrangement. The amendment tends in the same direction, and I propose, therefore, to leave the clause as it is."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I admit that the amendment as framed leaves the chaukidar the option of taking the accused person to the thana or to the president of the union board. I suggested it only to avoid the difficulty which was mentioned by the Hon'ble Mr. Kerr that supposing the thana is the nearer place than the house of the president or if the president is not to be found, whichever may be the convenient place, and where the case of the arrested person can be more quickly and safely disposed of. That is what I meant. As regards the powers of the president of the union board who has got to control the chaukidar, if he finds that the chaukidar has without any justification arrested a man he should see that the mere arrest by the chaukidar does not bring the man under the clutches of the law, so no special powers are necessary. If the president finds that the man has been arrested without any justification in exercise of the powers vested by the chaukidar under this Act, he may just ask the chaukidar to release the person ; that is what I meant, and what I think the amendment means, but I am sorry that this has not been accepted and as there seems to be great opposition to this, I do not think any useful purpose will be served by pressing it, so I beg permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 76.

The Hon'ble Maulvi Abul Kasem moved that for the word "district" in line 3 of clause 28 (now clause 25) the word "union" be substituted ; and for the words "district magistrate" in line 4 of the same clause the words "union board" be substituted.

He said :—

"This is a very simple amendment, my Lord. The object is this : the Bill provides that all fines realised from chaukidars under clause 25 shall form the district reward fund and that it will be at the disposal and under the control of the District Magistrate. What I suggest is that these fines realised from chaukidars should be confined to the area and should form the union board reward fund and should be controlled by the union board. The object is that the union board may have an opportunity of granting rewards to their chaukidars whenever they are found to have done some good service, or are found doing their duty a little more devotedly. I am informed, my Lord, that these chaukidari reward funds—there is a chaukidari reward fund now in existence under the control of the District Magistrate—that this reward scheme to chaukidars is extended over the whole district, and each

union may not find cases in which to reward their own good chaukidars and dafadars, and I have been also told that the chaukidars who are called upon to do patrol duty on railway lines during the visit of the Viceroy or the Governor, either in their own headquarters or on their way from one place to another, when they are brought from a distance of more than 5 miles from their homes, are paid their duty allowances from this reward fund. I speak subject to correction, but this is my information, and I do not think that this is the object with which these reward funds were started, so I suggest that the fines realised within their unions should be at the disposal of these boards, and should be paid to the chaukidars, so that money may be brought home to the union boards. I do not think there will be any objection to accepting this amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I do not think the Council would be well advised, on the considerations which have been adduced, in accepting this amendment, which, after all, merely upsets an existing system which is working comparatively well.

The clause in the Bill is almost an exact reproduction of section 42 of the Act of 1870, which was inserted by the amending Act of 1892. Sir Henry Cotton, the Member in charge, then gave this explanation of it :—

'There is a section introduced under which fines imposed on chaukidars are credited to a district chaukidari reward fund, the control of which rests with the Magistrate. At present fines, when realised, are credited to the village chaukidari fund ; that is to say, they pass to the panchayat. The Magistrate has no control over them, and the effect is that if the panchayat and the chaukidar work together and are friendly one with the other, no fine whatever can be inflicted on the chaukidar. It is thought desirable that the Magistrate of the district should have the power of inflicting some punishment on chaukidars other than dismissal. The fine will then be credited to a reward fund for distribution among deserving chaukidars, a provision which has always been much needed, and is calculated to improve the administration of the village police force.'

That is why the district chaukidari fund was initiated, and it has been working ever since. The petty fines levied on chaukidars are thus brought together, and in the aggregate make a fairly substantial sum from which it is possible to reward good work done by other chaukidars. If the sum was split up into a number of petty little units, as would be the case if the amendment was accepted, it would merely be frittered away without any practical benefit, apart from the objections which Sir Henry Cotton raised, and which I have just read. There is another difficulty, that if the unit is the union board one of two contingencies may result ; either the union contains most admirable chaukidars, in which case there will be no fund to give rewards from : or it may have a scoundrelly set of chaukidars, and there may never be occasion to give rewards. In either case it will not be possible to administer the fund to the advantage that is now possible. I doubt if it would make for good feeling in the union, for instance, if chaukidar A is fined Re. 1 which goes as a reward for good work done, into the pocket of chaukidar B ; this is only likely to engender friction. As a matter of fact, it has been found, that if the District Magistrate takes an interest in the proper administration of this fund it is useful in encouraging chaukidars to do good work, and sometimes chaukidars do very good work in effecting arrests and giving information. Of the practice to which the Hon'ble Member referred at the end of his speech, viz. of rewarding chaukidars from the fund for what really is part of their work, I have never heard. I am told by Mr. Hart that he thinks he remembers

such a case some time ago; I will have inquiry made, and if it is correct that this has been done, I will certainly have it stopped. The chaukidari reward fund is not meant for such purposes, and if it has been so applied, it must have been done under a misapprehension of the proper position."

The Hon'ble Mr. Kerr said :—

"May I just supplement what the Hon'ble Sir Henry Wheeler has said by reference to the rules which govern the administration of the chaukidari reward fund. The rules say—

'Rewards should ordinarily be given for—

(*a*) information leading to the prevention or detection of crime;

(*b*) the seizure or recovery of stolen property;

(*c*) the arrest of offenders or absconders;

(*d*) personal courage shown in the arrest of dacoits, thieves or other offenders;

(*e*) meritorious conduct, not included in the above clauses, which the District Magistrate, with the concurrence of the Commissioner, considers deserving of reward.'

So that if the District Magistrate wanted to take money out of the reward fund for the purpose which the Hon'ble Member has mentioned, he would have to get the consent of the Commissioner, and I think it is most unlikely that that consent would be given for the reward fund to be utilised for any such purpose."

The Hon'ble Maulvi Abul Kasem said :—

"This amendment has been opposed by the Hon'ble Sir Henry Wheeler on the ground that this goes against the practice which has been in existence for some years. I admit that this goes beyond the practice. But this Bill as it stands is an improvement on many established practices. We have got the local boards and the district boards and we are now going to have our village union boards to decentralize the work and what is more we had our Magistrates in the headquarters of the districts and sub-divisional officers elsewhere, and we are now going to have several village criminal courts. So I thought that the livision of the chaukidari fund would be in conformity with all these arrangements. My amendment has also been opposed on the ground that if we limit the fund to the union it will be a very small fund and that it would have no practical good result. But as the fund will be larger now and the chaukidars and people affected will also become larger in number—that will make very little difference. I am, however, glad to learn that my information regarding the allotment of chaukidari fund to other purposes is, so far as the Government are concerned, without foundation and that even if such a practice prevails it will not be allowed to continue. But I am still of opinion that this reward fund should be limited to the union boards who should have control over this fund. It has been suggested that in a union all the chaukidars may be an admirable lot and that in that case no fund would be realized. But that contingency is not likely to arise in a union in this Presidency nor is it likely that all chaukidars would be unworthy people. If that contigency arises it is also possible that another contingency might arise, that all the chaukidars in a district would be either wholly good or wholly bad. Therefore I hope that this amendment will be accepted by the Council."

The motion was then put and lost.

AMENDMENT No. 77.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "district magistrate" at the end of clause 28 (now clause 25) the words "district board" be substituted.

He said :—

"My Lord, in this connection I want to draw the attention of the Council at the very outset to the alteration that has been made."

The Hon'ble Maulvi Abul Kasem (interrupting) said :—

"My Lord, with reference to this amendment I rise to a point of order. It has been decided by this Council that the district reward fund is not to be made over to the control of the district board. It has also been decided that it should remain under the control of the District Magistrate."

The President said :—

"I do not think the Hon'ble Maulvi Abul Kasem is correct in saying that this Council has decided that the reward fund is to be under the control of the District Magistrate. What the Council has so far decided is that a certain alternative proposal to the proposal in the clause of the Bill should not be made. But that does not rule out of order other alternative proposals which the Council might like to adopt."

The Hon'ble Babu Akhil Chandra Datta (continuing) said :—

"Although the fine is imposed under clause 25 (now clause 22), that clause has undergone some alteration in the Select Committee on the second occasion. Originally the fine was intended to be imposed only by the District Magistrate. Now the union boards have been given the power of inflicting fines upon the dafadar, and chaukidar. Therefore the alteration in clause 25 (now clause 22), ought to have some bearing upon clause 28 (now clause 25). The fine was originally imposed by the District Magistrate and it could be said that for some reason that fine ought to be at the disposal of the District Magistrate, but now that the power has been given to the union board also, the question arises whether in these altered conditions the fine ought to go even now in all cases to the District Magistrate. Besides, although reference has been made to the provisions of the Chaukidari Act of 1892, it appears that the original section 42 of the Act of 1870 was this. That section lays down that all fines and penalties levied under this Act shall be carried to the credit of the Village Chaukidari Fund. Of course that was altered by section 42 of the Act of 1892. But, my Lord, our contention is that the Act of 1892 was a most reactionary measure and it is not too much to expect that things may be restored to their former condition, namely, that section 42 of the original Act of 1870 might be revived. Of course with this alteration, there it was suggested that it should be carried to the credit of the Village Chaukidari Fund. That amendment was moved by my predecessor and that has been lost, and in fact this is not my amendment either. That having been lost it is all the more proper that I should ask that the fine should go to the credit of the district board. I have got the support of the various representative public bodies in this connection. For instance, the District Board of Faridpur says that the proposed clause resembles the amended section, and the result will be that all fines will go out of the control of the village committee. In view of the fact that before 1892 all fines were credited to the Village Chaukidari Fund, this clause should be modified so as to bring all fines realized from the chaukidars to the Village Committee Fund. I find, my Lord, that even the premier institution of Bengal—the Indian Association—also recommends that the word 'board' should be substituted for the

word 'magistrate' in clause 28 (now clause 25). The question is whether that alteration should be made. It appears to me that it is rather funny that when the chaukidar's salary is to be paid by the union board, and when that man is fined by the union board, the fine should go to a fund over which neither the union board nor the district board has any control but over which the District Magistrate alone has the authority. There is something very wrong in the very idea. If A has got a servant and if under some circumstances he is competent to fine the servant, that fine should certainly go to A and not to B. So, my Lord, this alteration should, I think, be accepted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I confess I have some difficulty in following the argument of the Hon'ble Mover, which, if anything, is apposite to the previous amendment which has already been negatived. The contention of the Hon'ble Member seems to be that if we cannot go back to the Act of 1870, we should at least do something different from the change which, I have already explained, was made in 1892. But from the historic account I have just given of the genesis of this fund and of the objects to which it is applied, it seems obvious that the matter is not one which concerns the district board at all; to say that the administration of the kind should be directed by the district board is merely to frustrate the whole purpose for which it was created. Mr. Kerr has referred to the kind of work for which these rewards are given. Now what has the district board to do with the arrest of offenders and absconders, and how is it to judge of the personal courage shown by the dafadars in the arrest of dacoits? The amendment is really seeking to introduce an agency which is perfectly alien to the objects of the fund, and from the remarks that have fallen from the Hon'ble Member one would almost imagine that he regards the fund as a source of personal profit to the District Magistrate. I have endeavoured to explain what is done with the money, and I put it to the Council that it is meant for purposes which are absolutely foreign to the district board."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I am surprised to hear the last observation of the Hon'ble Sir Henry Wheeler. When I said that the fines go to the District Magistrate I never meant that they go to the District Magistrate personally. Of course he will have a control over it in his capacity as District Magistrate. Similarly, when I proposed that the fine should go to the District Board, it was never intended that the fine should go to the private pocket of the Chairman of the District Board. The whole question is who the official is who should have the control over it—that is the whole point. As I have submitted, as the salary is paid by the union board and it has also been conceded by the Select Committee on the second occasion that the union board will have the power to fine also, the authority who has got the power to fine should have some control over that amount. That is all that I have to submit."

The motion was then put and lost.

AMENDMENT No. 78.

The Hon'ble Mr. Provash Chunder Mitter moved that for sub-clause (*1*) (*a*) of clause 28A (now clause 26) the following be substituted, namely :—

"(*1*) (*a*) shall take such action as is necessary to secure the due performance by the dafadars and chaukidars of the union of the duties imposed on them under this Act, and shall exercise a general control over them."

He said :—

"My Lord, the Council will notice that the words which we have at present in the Bill as amended by the Select Committee are 'shall exercise a general control over the dafadars and chaukidars of the union.' I desire that the words 'shall take such action as is necessary to secure the due performance by the dafadars and chaukidars of the union of the duties imposed on them under this Act' should be added. The reason why I made this suggestion is this. The Council will notice from clause 26 (*1*) (*i*) [now clause 23(*1*)(*i*)] that at the present moment the chaukidar shall give immediate information to the officer in charge of the police-station within the limits of which the union is situated and to the president of the union board of every unnatural, suspicious or sudden death which may occur, and of any offence specified in schedule II which may be committed within the union, and he shall keep the police and the president of the union board informed of all disputes which are likely to lead to a riot or serious affray. My Lord, this only leads to giving information both to the officer in charge of the police-station and to the president of the union board. The Bill does not provide as to what is to be done after that. On the other hand, there is another aspect which is important with reference to this amendment except that the chaukidar is obliged to furnish the information required of him, the chaukidar can only give orders on police matters through the union board. The Bill does not provide that the officer in charge of the police-station can give orders to the chaukidar direct. As I understand, my Lord, the scheme of the Bill is to introduce more co-operation between the union board and the officers in charge of police-stations. If that be the object, then there ought to be some person or body of persons who should have the power to improve that co-operation. The officer in charge of the police-station has not any direct power, no doubt by holding out an indirect threat of having the chaukidar dismissed or reporting against him to the District Magistrate he may exercise some authority. But I would prefer that the union board should have a more effective voice in the matter. The chaukidar is required to keep the president informed of any crime committed within his locality, but there is no direction what the president is to do when he receives such information. Therefore for the mutual co-operation which is I think the framework of this Bill, I think the amendment which I suggest will improve the Bill. I understand, my Lord, that in various places there is a growing tendency of the thana police and the president of the panchayat working together and that very good results have accrued therefrom. If that is to be aimed at then the amendment which I have suggested is desirable. I may tell the Council that my amendment bears relation to amendment No. 81 which stands in my name, namely, that after clause 28A (now clause 26) sub-clause (*1*) (*ee*), the following words be added 'shall co-operate with the police and the magistrate and the circle officer for the control and detection of crime.' My Lord, the non-official Indian members desire that these union boards should have these powers. The official members pointed out in the course of the discussion that took place yesterday that at the present moment the police powers must ultimately remain in the hands of the District Magistrate, and as the District Magistrate is responsible for the peace of the district such powers should remain with the District Magistrate, but both sides agree that gradually there should be better co-operation between the functions exercised by the union board and the District Magistrate. The amendment, I suggest, will ultimately attain that object."

The Hon'ble Mr. Kerr said :—

"My Lord, I will not follow the Hon'ble Member in his discussion of the question of granting police powers to the president and members of these boards, because that question arises specifically on later amendments. I may, however, say at once that the Government are prepared to accept this

Babu Akhil Chandra Datta; Babu Ambika Charan Mazumdar.

amendment. It will have been evident from the remarks which we made yesterday on previous amendments that the policy of Government is to steer a middle course in the matter of control over the rural police, and to give the union boards a reasonable amount of control over the rural policemen who will work in the villages and to retain at the same time the control of the District Magistrate and the district authorities who are responsible for maintaining law and order. This amendment will allow the union board to take such action as is necessary to secure the due performance by the dafadars and chaukidars of the union of their duties. It will be open to the union board either to reprove or exhort them directly, to punish them in the manner allowed by the Bill or to report them to higher authority if the matter falls outside the purview of the union board. Government regard this amendment as reasonable and as expressing what their intentions in this matter are; and they are therefore prepared to accept it."

The motion was then put and agreed to.

AMENDMENT No. 79.

The following motion was held to be covered by the decision on the previous amendment and was deemed to be withdrawn :—

The Hon'ble Babu Akhil Chandra Datta to move that for sub-clause (*1*) (*a*) of clause 28A (now clause 26) the following be substituted, namely :—

"(*1*) (*a*) shall exercise control over the dafadars and chaukidars of the union under rules, if any, made by the district board."

AMENDMENT No. 80.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the word "union" in line 2 of sub-clause (*1*) (*d*) of clause 28A (now clause 26) the words "either constructed by it or made over to it for maintenance and" be inserted.

He said :—

"My Lord, on comparing the Bill which has now been presented to us after recommitment to the Select Committee and the amendments which were submitted at the meeting of the 18th February last, it appears that some of the amendments made by the non-official members have been accepted : some have been openly acknowledged, others have been tacitly admitted, but I do not suppose it has been decided that the residue of these amendments are to be thrown into the dust-bins or that the acceptance of any one of them would cast any reflection on the Select Committee. We, the non-official members, have, in the light of our judgment, made a number of amendments simply with a view to improving the Bill and making it acceptable to the public. Whatever the result may be, we are bound to press them, not for the object of taking up the time of the members on the side of Government which is no doubt very valuable, but I think our time has also some value and we do it from a sense of duty.

This amendment has reference to clause 28A (*1*) (*d*) [now clause 26 (*1*) (*d*)] which says that every union board shall have control of all drains and other conservancy works within the union which are not under the control of any other authority. I propose to add after the word 'union' these words 'either constructed by it or made over to it for maintenance and' I do it on purpose, because the clause, as it stands, is not exhaustive or if I am permitted to say is somewhat defective also. As it stands it means that all drains and conservancy works, whether public or private, unless they are under the control of some

other authority shall be under the control of the union board. This is not what is probably intended to achieve by this sub-clause because there may be drains or other conservancy works which are entirely private. I do not think the union board would be competent at all to interfere with any private drain executed by a private person for his own convenience or any conservancy work which any private person may construct. Therefore, I suggest that after the word 'union' we should add 'either constructed by it or made over to it for maintenance and.' A private drain may be made over to the union board and they may make over such drains and conservancy works. A district board may make over certain conservancy works executed by them for maintenance to the union board and they should have control over such drains and conservancy works, but we cannot give them a large power of interfering with all drains and conservancy works which, though not made over by the district board, may be the property of private individuals. Therefore we ought to limit the control of the union boards to drains and other conservancy works which are either executed by the board or which may be made over to the union board either by higher authority or by a private person. To cover these I propose that these words should be added: otherwise the clause is open to grave objection as it allows the interference on the part of the union board with private drains or private conservancy works without any formal authority from the owner. As the clause is open to grave objection, I think my amendment should be accepted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the Hon'ble Member appears to think that he has some grievance against the Select Committee. I should find it easier to disabuse his mind of that impression if I understood more clearly what his grievance is. On behalf of the Select Committee, I can only claim that they have done their best to discharge the task entrusted to them, in the course of which they put in many hours work. I most strongly repudiate any suggestion that they have cast a slur on any Hon'ble Member or thrown into the dust-bin amendments which have cost much time and labour. Whenever we have accepted the amendments of any Hon'ble Member, we have frankly acknowledged their suggestions, and I would ask the Hon'ble Member to believe that we have merely tried to evolve a better Bill in the light of the amendments of our Hon'ble Colleagues.

Turning now to the amendment, the clause, as it stands, defines the duties of union boards, and gives them control of all drains and other conservancy works within the union; I gather that the Hon'ble Member thinks that the provision will give them an undue right of interference with private drains. That they should have some right of interference with private drains is contemplated in the Bill; and I would instance clause 29 (*b*) under which they may cause private drains to be constructed, altered or removed, while under sub-clause (2) (*ii*) of the same clause they may cause the owner or occupier of any building to construct private drains therefor or to alter or remove private drains thereof. That they should have some powers over private drains is intended, and as the Hon'ble Member has not moved for the excision of these provisions, I take it that he is in agreement with them. But he seems to think that we have in some way vested private drains in the union board by the manner in which we have framed the clause. We have not, however, done so, as I think I can show to his satisfaction by the precedents of other Acts which this Bill has followed. Under section 115 of the Local Self-Government Act a union committee shall have *control* of all drains and other conservancy works within the union. That is practically similar in wording to our clause, and yet private drains have not been absorbed or vested in the union committee. Similarly, coming to section 190 of the Bengal Municipal Act, we find that all drains and privies shall be subject to

Babu Ambika Charan Mazumdar; Mr. Provash Chunder Mitter; Sir Henry Wheeler.

the inspection *and control* of the Commissioners. As I read the clause it is merely a declaratory one, saying that the duties of the union board are to do such and such things. The Bill goes on in other sections to define the particular nature of the control to be exercised. I do not think the ill-effects of the clause are such as are imagined by the Hon'ble Member, and I would deprecate the amendment which, if accepted, would in effect declare that the union board must not interfere with private drains at all, and would be inconsistent with those portions of clause 29 (now clause 26) to which I have referred".

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I am not convinced as to the weight of the argument advanced by the Hon'ble Sir Henry Wheeler. It may be very desirable that the union board should have some hand in all drains and conservancy works within the union, but I think if we keep the clause as it is it would be giving very extensive powers to the union board over all drains within a union whether private or public. I believe it may be possible that the union boards will find themselves sometimes in a very hard position when people are not agreeable to give up their civic rights. I do not know whether by enacting this provision we can give them any legal right to interfere with private property whether it be in drains or other conservancy works. So we ought to confine this clause to works which are public property or which may have been made over to the union board by the owners of such works. We may give a very wide scope to this Bill, but that will not take away the rights of private individuals. I do not think we could effectively put into motion the provision which we have here. If we are to make it effective we ought to say that the works which are to be controlled by the union boards should be such as may have been vested in them by the operation of the law, or by being made over to them either by a public body or by a private individual. We cannot give them a large order to interfere with any and every work within the union."

The motion was then put and lost.

AMENDMENT No. 81.

The Hon'ble Mr. Provash Chunder Mitter moved that the word "and" at the end of sub-clause (*1*) (*ee*) of clause 28A (now clause 26) be omitted; and after the same sub-clause the following be inserted, namely :—

(*eee*) shall co-operate with the police and the magistrates and the circle officer for the control and detection of crime."

He said :—

"My Lord, this amendment is more or less consequential on the amendment No. 78 which has been accepted by the Council, and I, therefore, simply move it without any speech."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, while I quite appreciate the importance of the object which the Hon'ble Member seeks to achieve by this amendment, I would deprecate its inclusion in the Bill simply for the reason that in all Bills, and particularly in matters having connection with the magistracy and the police, it is desirable that the functions to be specified should be definite and explicit. In the other matters included in clause 28A (now clause 26) as comprising the duties of a union board, it will be seen that each covers a definite act which the union board should do—they should control chaukidars, they should

provide sanitation, they should make arrangements for conservancy, they should execute works for the preservation of public health, they should supply information, and so on. But when we come to the Hon'ble Member's amendment, we come to something which is purely hortatory—that they shall co-operate with the police and the magistrate. It is almost like saying that they shall be good and loyal citizens. Of course it is an admirable function to be a good and loyal citizen, but its mention in this form in an Act seems to me rather to depart from the customary features of legal enactments, and it is inconsistent with our usual legislative practice to put an exhortation of this kind in a Bill."

The Hon'ble Mr. Provash Chunder Mitter said :—

"If the amendment to clause 28A (now clause 26) be accepted, it is not necessary for me to have this clause, but at the same time I do think that these exhortations are unknown to Indian Legislature, but as my purpose is served by the amendment already accepted, I do not want to press it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 82.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that after sub-clause (*1*) (*ee*) of clause 28A (now clause 26) the following be inserted, namely :—

> "(*eee*) shall arrange for the vaccination of persons resident within its jurisdiction for small-pox and chicken-pox."

He said :—

"My Lord, my amendment is a very simple one. I simply want that vaccination should also be considered as one of the duties of union boards. The reason is that in the *mufassil* difficulties arise in connection with vaccination especially with the Muhammadans who observe special purdah system. But if it is done locally I do not think any difficulties will arise. Therefore instead of including it in the general term 'public health', I want it to be specifically mentioned in the proposed clause."

The Hon'ble Mr. O'Malley said :—

"My Lord, there are two reasons why Government are unable to accept this amendment. In the first place vaccination is not compulsory in rural areas. The Bengal Vaccination Act has been extended to all municipalities, to the Asansol Mining Settlement, to Kalimpong and Siliguri in Darjeeling, but it has not been extended to villages elsewhere in the Presidency. The union board will therefore be unable to enforce vaccination; without an extension of the Vaccination Act they would not be in a position to arrange for the vaccination of their neighbour's children, and the provision which the amendment seeks to introduce would be null and void. The Hon'ble Member may say he is not particular as to the wording, but merely wishes to establish the principle that members of the union boards should assist in vaccination. Here, however, we are dealing with positive duties and statutory obligations. The second objection to the proposal is that it provides that people should be vaccinated for chicken-pox. I fear my hon'ble friend has not a very expert knowledge of the etiology of disease or he would have been aware that vaccination is not a preventive against chicken-pox. It would add a new terror to the life of parents with large families if they had to vaccinate their children for chicken-pox, as well as for small-pox, and I should be very sorry to see any provision made in the Bill which might be said to disclose a

Rai Radha Charan Pal Bahadur; Rai Mahendra Chandra Mitra Bahadur; Babu Kishori Mohan Chaudhuri.

somewhat scanty acquaintance with medical lore. The proposal rather reminds me of a story I have heard of a question put in another Legislative Council in India. The question is said to have run—'Are Government aware of the number of deaths from lightning in certain parts of the province, if so, what action do they propose to take?' On behalf of Government I must oppose the amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I heartily support the motion of my hon'ble friend deleting of course the reference to chicken-pox. I have heard Mr. O'Malley's reply and I am aware that there is no compulsory vaccination in the mafussal. But at the same time it must be admitted that our countrymen are anxious to have all the facilities for vaccination. The Hon'ble Mr. O'Malley will admit that it is a municipal measure and my hon'ble friend's proposal is only concerned with the municipal convenience of the public. The union boards will be established in areas in which there are no municipalities and although there is no compulsion, I think facilities ought to be provided for those who want to get themselves vaccinated in the areas. The boards ought to provide lymphs and ought to supply them to the local doctors so that people may get themselves vaccinated without any difficulty. I am told that at present no facilities in the mafussal are provided for vaccination. Surely Government cannot stand aside and see people dying there by hundreds and thousands in times of small-pox epidemic. What is the harm in inserting this provision here especially when the cost will be borne by the people themselves? Why should there be opposition on the part of the Government? Surely a thousand or two thousand lymphs in times of epidemic will go a long way in checking the spread of the disease. I yet hope that this amendment will be accepted and Government will reconsider their decision especially when the acceptance of this proposal will not harm anybody and will not diminish the prestige of the local authorities as it is not a question of political power but of municipal convenience."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I wish to speak a few words in connection with this amendment. It is well known that within the mafussal municipalities there are depôts in charge of the Civil Surgeon to provide facilities for vaccination and experience has shown that in times of epidemic, there is always a rush to the depôt for vaccination. It is not right, therefore, that these union boards to whom we are going to give so large powers in other respects, should not also provide facilities for vaccination? It may be arranged that there should be a supply of lymph in the village and the union boards may have power to arrange for its distribution. This, my Lord, is a simple matter and if the arrangement is left to the union board, it will be better for the people of the country."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am sorry I included the chicken-pox. It betrays my ignorance no doubt, but I am not ashamed of it as I am not a doctor. However, that may be, I think that facilities should be provided for the protection of the people against small-pox and I suggest that arrangements should be left in the hands of the union boards. I am not convinced by the Hon'ble Mr. O'Malley's arguments in opposing it, and in view of what has been observed by two other Hon'ble Members I still hope that my amendment will be accepted."

The Hon'ble Mr. O'Malley said :—

"My Lord, as some reference has been made to the arrangement for vaccination in mufassal areas, I may point out that there is a staff of vaccinators who are sent out to vaccinate the children of those who are willing to undergo the operation. A circular has recently issued by which the duties of the Civil Surgeon in regard to vaccination will be placed in the hands of district health officers, who will be servants of district boards. The objection to this amendment is that it will place a statutory duty on the union boards when they have no arrangements for appointing vaccinators. I have no doubt that the assistance and co-operation of the members of union boards will in practice be called into requisition but under present conditions it would not be fair to place this statutory duty on them.

The motion was amended by the omission of the words "and chicken-pox" and a division was then taken with the following result :—

Ayes—18.	*Noes—22.*
The Hon'ble Sir Rajendra Nath Mookerjee, K.C.I.E.	The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, ,, Nilratan Sarkar, KT.	,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Raja Hrishikesh Laha, C.I.E.	,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
,, ,, Mr. Provash Chandra Mitter, C.I.E.	,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Kumar Shib Shekhareswar Ray.	,, ,, ,, C. J. Stevenson-Moore, C.V.O.
,, ,, Sir Deba Prasad Sarbadhikari, KT., C.I.E.	,, ,, ,, J. Donald, C.I.E.
,, ,, Rai Debender Chunder Ghose Bahadur.	,, ,, ,, L. S. S. O'Malley, C.I.E.
,, ,, ,, Radha Charan Pal Bahadur.	,, ,, ,, H. P. Duval.
,, ,, Mr. W. H. Phelps.	,, ,, ,, M. C. McAlpin
,, ,, Dr. Abdulla-al-Mamun Suhrawardy.	,, ,, ,, F. A. A. Cowley.
,, ,, Maulvi Abul Kasem.	,, ,, Colonel J. K. Close, M.D., I.M.S.
,, ,, Babu Bhabendra Chandra Ray.	,, ,, Mr. W. C. Wordsworth
,, ,, Rai Sri Nath Ray Bahadur.	,, ,, ,, C. F. Payne.
,, ,, Babu Akhil Chandra Datta.	,, ,, ,, S. G. Hart.
,, ,, Rai Mahendra Chandra Mitra Bahadur.	,, ,, Khan Bahadur Maulvi Amin-ul-Islam.
,, ,, Babu Mahendra Nath Ray, C.I.E.	,, ,, Mr. R. V. Mansell, O.B.E.
,, ,, ,, Kishori Mohan Chaudhuri	,, ,, ,, W. H. H. Arden-Wood, C.I.E.
,, ,, ,, Ambika Charan Mazumdar.	,, ,, ,, Aminur Rahman.
	,, ,, ,, L. V. N. Meares.
	,, ,, ,, W. E. Crum, O.B.E.
	,, ,, ,, G. A. Bayley.
	,, ,, Khan Sahib Aman Ali.

The Hon'ble Mr. Arun Chandra Singha abstained from voting.

The following members were absent :—

The Hon'ble Mr. F. C. French, C.S.I.
,, ,, the Nawab Bahadur of Murshidabad.
,, ,, Babu Siv Narayan Mukharji.
,, ,, ,, Brojendra Kishor Ray Chaudhuri.
,, ,, Mr. F. W. Carter, C.I.E., C.B.E.
,, ,, ,, H. R. A. Irwin, C.I.E.
,, ,, ,, M. Ashraf Ali Khan Chaudhuri.
,, ,, Maulvi A. K. Fazl-ul-Haq.
,, ,, Mr. Altaf Ali.
,, ,, Babu Surendra Nath Ray.
,, ,, Mr. K. B. Dutt.

The *Ayes* being 18, and the *Noes* 22, the motion was lost.

AMENDMENT No. 83.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, the next amendment which stands in the name of the Hon'ble Maulvi Fazl-ul-Haq, will, I find, be difficult to carry out in practice. I therefore beg permission to withdraw it.

The motion was then, by leave of the President, withdrawn.

Babu Kishori Mohan Chaudhuri; Mr. Provash Chunder Mitter; Sir Henry Wheeler.

It was as follows :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that after the proposed sub-clause (*1*) (*ee*) of clause 28A (now clause 26) the following be inserted, namely :—

"(*eee*) shall compile and maintain a register of marriages and divorces within the union, and such other registers or public records as the local Government may direct, in accordance with rules under section 111."

AMENDMENT No. 84.

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I have reconsidered the matter, and do not wish to press this amendment. I ask permission to withdraw it."

The amendment was then, by leave of the President, withdrawn.

It was as follows :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that after the proposed sub-clause (*1*) (*eee*) of clause 28A (now clause 26) the following be inserted, namely :—

"(*eeee*) shall take emergency measures and shall provide for medical aid to victims in case any disease breaks out in the form of an epidemic within its jurisdiction."

AMENDMENT No. 85.

The Hon'ble Mr. Provash Chunder Mitter moved that the word "and" at the end of sub-clause (*3*) of clause 28A (now clause 26) be omitted; and after the same sub-clause the following be inserted, namely :—

"(*3a*) shall cause such processes as may be received for service from any court to be duly served by a dafadar or chaukidar and returned to the court, and."

He said :—

"My Lord, the principle of this amendment has already been accepted, but I would only ask Government to consider whether it is not desirable to have this clause or a similar provision in clause 28A (now clause 26) as well. The principle of it was accepted, when the Hon'ble Babu Akhil Chandra Datta moved his amendment No. 73. The only point to be considered now is whether it ought to find a place in clause 28A (now clause 26) as well."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, we have already accepted the principle of the service of processes through chaukidars and dafadars, as the Hon'ble Mr. P. C. Mitter has remarked, and I do not think there is any harm in inserting a provision of this kind, though, here again, its form might be improved upon. I do not like the words "received for service from any court"; there may be revenue services, not issued by any court. Similarly, as regards the words "returned to the court." I think it will meet the case if we put the amendment in this form "that the word 'and' at the end of sub-clause (*3*) of clause 28A (now clause 26) be omitted and after the same sub-clause the following be inserted, namely: Shall cause such processes as may be received by the union board for service to be duly served by a dafadar or chaukidar in accordance with rules under section 111; and"

The amendment was then put in the modified form and agreed to.

Babu Akhil Chandra Datta; Sir Henry Wheeler: Rai Radha Charan Pal Bahadur.

AMENDMENT No. 86.

The Hon'ble Babu Akhil Chandra Datta moved that after the words "district board" in line 2 of sub-clause (*1*) of clause 29 (now clause 27) the words "or local board" be inserted.

He said :—

"I think this is a most non-controversial proposition. Clause 29 (now clause 27) refers to the powers of the union board as to sanitation, conservancy and drainage and the clause lays down that there are certain steps that can be taken by the union board on their own initiative, and then it lays down, that if the district board order them to do so, that order will be binding upon them, because in that case the union board shall do it. I only want to add that like the district board, it will be competent to the local board also to pass an order like that. That is all that is recommended in this amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this amendment deals with a provision which was inserted by the Select Committee on its first examination of the Bill. The clause lays down certain sanitary powers and duties of the union board, and it was suggested to the Select Committee that the union board might be lax in the exercise of these powers, and therefore that it would be useful to authorise the district board, in the case of neglect of duty, to step in and to order the union board to do so and so. On the merits there is much to be said for the idea, and we put it in the Bill as a matter which was worth consideration, though we apprehended that, possibly, objection would be taken to it, as giving rather wide powers to district boards of bringing the union boards into line. Far from objection having been taken to it, however, the only proposal on the point is for the extension of this mandate to the local board. That is carrying the principle which we accepted a little further than we contemplated—carrying it to a body which is not of the standing of the district board, and, which is rather more important, it is carrying it down to a body which has not got the funds of the district board. That is a point which is well worth the consideration of the Council. The local board is the agent of the district board, its resources are restricted, and it will not ordinarily be in a position to make an independent grant to the union board. Therefore its position is materially different from that of the district board, which, if it decides that the union board shall be directed to do so and so, will be bound to consider how they are going to do it, and probably come to their financial aid. The same consideration will not apply to the local board, and there is, therefore, a difference in conferring this power on that body. However, as I say, the principle is one which we accepted, in Select Committee, and I should be prepared to leave it to the Council whether they would like the principle to be extended to the local board also."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I must oppose this motion. The union board is only newly come into existence. Over its head will be the district magistrate, the sub-divisional officer, the circle officer, and again the district board will sit upon it, and if you allow the local board also to sit upon it, there will be no life left in it. I think it is better to let the union board have a little independence of its own. It should not always act as the *hookum bardar* of so many people. Therefore, I insist that the local boards may not be allowed to sit upon it. If the union board is also to carry out the mandates of all these persons and bodies, there will hardly be any life left in it to carry them all out."

Babu Akhil Chandra Datta; Maulvi Abul Kasem.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, as I was listening to the arguments of the Hon'ble Sir Henry Wheeler, I was almost feeling half inclined to withdraw my motion, because although I am not in full agreement with all his arguments, still I feel that in view of the present financial position of the local boards, they may only be in a position to give orders without being able to finance them. I feel there is a good deal of force in that. My first feeling was to withdraw my motion, and that feeling has been strengthened by the attitude of my hon'ble friend Rai Radha Charan Pal Bahadur, but at the same time, I must draw the attention of the Rai Bahadur to clause 55A (now clause 50) of the Act which lays down that, subject to the control of the district board, a local board shall superintend the administration of the union board, etc., etc. My motion is, therefore, in accordance with the provisions of this Bill. It is the local board which is primarily responsible for superintending and controlling the administration of the union board. This function has been especially entrusted to the local board. There are, of course, the district magistrate, the circle officer and so on. They may be too much for the union board, but at the very outset it is the local board whose orders they will be bound to carry out in all matters, so that even if this particular amendment is rejected the fact remains that the authority of the local board will always be binding upon the union board. However, I appreciate the argument of the Hon'ble Sir Henry Wheeler when he says that as the local boards have not got any funds, it is no use giving them that power. I therefore ask permission to withdraw my motion."

The motion was then, by leave of the President, withdrawn.

[At this stage the Council adjourned for lunch.]

AFTER LUNCH.

AMENDMENT No. 87.

The Hon'ble Maulvi Abul Kasem moved that before the word "any" in line 1 of sub-clause (*1*)(*d*)(*ii*) of clause 29 (now clause 27) the words "subject to the following proviso in regard to manure pits" be inserted; and after the word "necessary" at the end of sub-clause (*1*)(*d*) the following be inserted, namely :—

> "Provided that this provision shall not affect manure pits, but the union board may direct the owner thereof to make the manure pit sufficiently deep so as not to affect sanitation."

He said :—

"My Lord, I have thought it advisable to press this amendment in view of the fact that in an agricultural country like Bengal where every peasant and cultivator has to keep a manure pit for the collection of manures, there should be some provision to see that the union board does not cause it to be closed simply on the ground that it is injurious to health. Certainly the existence of a manure pit in the close vicinity of dwelling houses is injurious to health, but I am afraid it is a necessary evil—which will have to be tolerated because we can ask the whole body of villagers to keep their manures in a separate place outside the village. I think, some provision should be made to see that these manure pits are not interfered with. But the owners of these pits may be directed to make these pits sufficiently deep so as to minimise the bad effects so that they may not affect injuriously the sanitation of the village. With these words, my Lord, I beg to move this amendment."

The Hon'ble Mr. O'Malley said :—

"My Lord, the sub-clause to which the Hon'ble Member proposes an amendment is based on the existing provisions of the Local Self-Government Act, under which a union committee may deal with any tank, well, pool, ditch, drain or place containing, or used for the collection of, any drainage, filth, stagnant water or matter likely to be prejudicial to health by draining or cleansing it, or otherwise preventing it from being prejudicial to health. It has not been found necessary in the working of the Self-Government Act to have any saving clause as to manure pits. This is a matter which can surely be left to the good sense and discretion of the members of the union boards who know village conditions and the circumstances of their neighbours. The amendment, as it stands, is in any case open to objection, because if it was accepted, however offensive or even dangerous to health a manure pit might be, the union board could do nothing except order the owner to deepen the pit. Deepening might not remove the nuisance, while it might be actually mischievous. For instance, if the pit were close to a well and it was deepened the filth might percolate through to the well and pollute the water.

I would, therefore, deprecate the addition of an amendment making any special exception in favour of these receptacles of somewhat nauseous matter."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I thought it necessary to bring to the notice of this Council and of your Excellency's Government the necessity of having manure pits. It is no doubt that the union boards will exercise due discretion when passing orders about manure pits, but my apprehension was that sometimes some over-zealous officers of Government when they go into these unions and find these manure pits here and there may direct the board to take steps against them and the board will not be bold enough to resist these orders and instructions. In one or two cases in my district I have seen the Civil Surgeon asking the Chairman of the union committee to see that these manure pits were removed from the neighbourhood of residential houses, but at least in these cases the Civil Surgeon was made to understand the situation which was explained that in an agricultural country these pits were most essential but still he said he would like to have it done but did not insist upon it. Therefore I thought it necessary to bring forward this amendment, but if the Hon'ble Mr. O'Malley is of opinion that this provision is unnecessary, I do not wish to press it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 88.

The Hon'ble Maulvi Abul Kasem, in the absence of the Hon'ble Maulvi A. K. Fazl-ul-Haq, moved that the word "reasonable" before the word "period" in line 2 of sub-clause (*2*) of clause 29 (now clause 27) be omitted, and at the end of the same sub-clause the following be inserted, namely :—

> "Provided that the period specified in such notice shall be such as to give a reasonable opportunity to the owner or occupier, as the case may be, to carry out the requisition contained in the notice, and shall, in no case, be less than one month from the date on which the notice is actually served."

Sir Henry Wheeler; Maulvi Abul Kasem; Kumar Shib Shekhareswar Ray.

He said :—

"My Lord, in the Bill itself it is only suggested that a reasonable period is to be specified therein. This amendment does not want this reasonable period to be left to the discretion of the union board itself, but it says that the period shall, in no case, be less than one month from the date on which the notice is actually served as it may cause a great hardship to the people who may be asked to carry out the instructions within a shorter period. The amendment will remove that disadvantage and hardship and I hope it will be accepted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I will be as brief in my remarks as possible in order to speed up the proceedings. This is a matter in which the Select Committee, at the second revision, tried to meet the Hon'ble Member, but apparently has not succeeded in doing so. Previously, the clause merely required a period to be specified. In consideration of the amendments, of which notice was given on the previous occasion, we added the word "reasonable." Now the Hon'ble Member wants to add that the period of notice shall not be less than a month. We considered this point in Select Committee, and we did not think it desirable to put it as suggested, because if there was an epidemic or anything of that kind raging in a village, circumstances might arise in which it would be desirable to take immediate action. We, therefore, thought it best to leave it to the discretion of the union boards, merely stating that the period of notice should be reasonable. I may point out that an appeal lies against an order, and we may take it that if any action is unreasonable, the appellate authority will set the matter right."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I do not press this amendment and I ask your Excellency's permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 89.

The Hon'ble Kumar Shib Shekhareswar Ray moved that the word "tank" in line 2 and the word "pond" in line 3 of sub-clause (2) (*iii*) of clause 29 (now clause 27) be omitted.

He said :—

"My Lord, the powers with which the union board is going to be vested under clause 29 (now clause 27) are extremely wide and of far-reaching consequences. These powers are not enjoyed by the present union committees, nor even by the district boards. Of course, the municipalities are vested with these powers and there can be no doubt that they are essential to secure improvements in the matter of village sanitation. But we must not forget at the same time that the conditions in the villages are not the same as in the towns. Public opinion is a great check in municipal towns against an abuse of these powers, but the public opinion in the villages cannot be expected to be effective to the same degree. In the villages, the zamindars and the moneyed class will exert a considerable influence on the union boards. We should, therefore, see that we do not leave the bulk of the village population too much at the mercy of these boards. My Lord, I should here make it clear to the House that I am not moving this amendment for the benefit of the land-holding classes. They are too powerful in the villages to be worried

by the union boards. On the other hand, my amendment, if accepted, will save the poor and helpless ryots from being harassed by vindictive zamindars for whom it would not be at all difficult to utilise the services of union boards to crush the victims of their anger. Most of the tanks and ponds in the villages are in a filthy condition. But it is beyond the powers of an average villager to re-excavate or fill up a tank. An order to do so will mean his ruin. I know that there is a provision for an appeal against such an order. But even this provision will not save him from being unduly harassed. I would, therefore, request the House to omit the words 'tanks and ponds' from the clause. If it be found necessary to fill up or re-excavate a particular tank, the union board must come forward to take up the work itself and not compel the poor owner to do so, as that, I assert again, would be absolutely impossible for an average villager to do even by selling his entire holding."

The Hon'ble Mr. Hart said :—

"My Lord, on behalf of Government, I must advise the Council not to accept this amendment. It is one of the first principles of organised social life that no person may, by his acts or neglects, cause danger or offence to other members of the community. He may not treat even his own property in such a way that the safety or health of his neighbours is endangered. Clause 29 (now clause 27) of the Bill has been framed to give the representatives of the inhabitants some power to deal with cases of defiance or neglect of this fundamental principle of civilised life. It is provided under sub-clause (*1*) (*d*) that if any well, pool, ditch, tank, pit, pond or any place where drainage, filth or stagnant water is contained or collected is in such an insanitary condition as to be offensive or injurious to the health of the residents, the union board may take suitable action to render such place innocuous. Under sub-clause (*2*), the union board is empowered in such cases to require the owner or occupier of the land to which such insanitary place pertains to himself take the necessary action. Under sub-clause (*3*), the union board is empowered, in case the owner or occupier defaults, to have the work done on its own authority and to recover from the defaulter the whole or such portion of the cost as the union board may decide to be reasonable and fair.

These provisions appear to be justifiable and sound and the Hon'ble Kumar Shib Shekhareswar Ray does not impugn the principles on which they are based. He apparently agrees that sub-clause (*1*) (*d*) requires no amendment, although that sub-clause expressly covers 'a tank' and 'a pond'. As he does not propose to modify sub-clause (*2*) except in so far as it refers to a tank or pond, it is also evident that he sees no grave injustice in requiring the owner of a dirty well, pool, ditch or pit to meet the expense necessarily incurred in making it sanitary. His only apprehension is that the interests of the owner of a tank or pond may be injuriously affected. He has, however, not attempted to show and it would be difficult to conceive how he would attempt to prove that it is reasonable to exempt the owner of a pond or tank from the same liability to keep it in a sanitary condition as is imposed on the owner of a well, pool or ditch.

My Lord, the ownership of a large tank implies a certain degree of affluence; and it seems that there is no possible justification for this amendment other than the safeguarding of the interests of the more well-to-do portion of the community. As an adequate safeguard has always been provided by the right of appeal in the Bill, the amendment is unnecessary. Its adoption would be not only a setback to the progress of the course of village sanitation, but would also be unfair to the owners of other kinds of property to whom a similar exemption is not granted."

For these reasons, my Lord, I oppose the amendment."

Rai Radha Charan Pal Bahadur; Rai Mahendra Chandra Mitra Bahadur; Kumar Shib Shekhareswar Ray.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I rise to oppose the amendment moved by the Hon'ble Kumar. I thoroughly agree with what has fallen from the Hon'ble Mr. Hart. It must not be presumed that in these days of advancement—advancement not only of political education but also of sanitary education—that we the non-official members, especially the Indians are backward. I am rather sorry that my hon'ble friend Kumar Shib Shekhareswar Ray has suggested the omission of the words 'tank' and 'pond'. He has overlooked, well, pool, ditch, pit, etc., which belong to poor persons. A wealthy person, may poison his neighbour or make the whole area insanitary by keeping a tank or pond. Therefore, I think, this clause ought to be maintained in the interest of the health of the community. It may be said that there are some vindictive people who might satisfy their grudge against somebody. But we should not allow this apprehension to stand in the way of our having a measure of self-government in this country. We have more than one member on the union board and we should certainly trust to the intelligence, common sense and—sense of justice of the members of the board as a whole. Further, there is an appeal provided in clauses 29 and 30 (now clauses 27 and 28). Surely, it cannot be presumed, and I know from my own experience that, however, vindictive and evil-intentioned a person may be,—he cannot have such an overwhelming influence as to carry the whole board with him. So there need be no apprehension and the Hon'ble Kumar will do well to drop the amendment in the interests of sanitation."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I wish to submit a few observations. I am sorry to oppose the amendment. The object of the Bill is to secure sanitation in the villages and the gentleman who goes to the villages, the first thing he will notice, is the insanitary condition of the tanks. Consequently, it is the duty of the union board to have this nuisance removed and therefore notices ought to be served either upon the occupier or the owner of these properties. It will not be hard, if the notice is served upon the zamindar. He can take measures to see that the insanitation is removed. If the insanitary condition of tanks or ponds is not improved in the villages, what is the necessity of a Bill like this? The primary object of the Bill is to secure sanitation, and therefore I am very sorry to oppose the amendment. If the amendment is carried out, then I am sure the sanitation will not be secured. The villages are full of jungles which should be removed. If a rational view of the question be taken into consideration. I believe this amendment ought not to be accepted."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"My Lord, I have nothing further to add to what I have said regarding this amendment. But I am very sorry that my amendment has been opposed by some of the non-official members of this Council. But my only gratification is that they belong to the towns and not to the villages. Had they known the conditions in villages they would have supported my amendment. In view of the another amendment which stands in my name, No. 90, I beg to withdraw this amendment.

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 90.

The Hon'ble Kumar Shib Shekhareswar Ray moved that after sub-clau (*2*) of clause 29 (now clause 27) the following be inserted, namely :—

"Provided that in the case of a work referred to in clause (*2*) (*i* where the area exceeds 400 square yards, half the cost of suc work shall be paid by the union board."

He said :—

"My Lord, my reasons for moving this amendment are the same as those i the case of the previous one. My case is that it is impossible for 99 per cen of the villagers to re-excavate or fill up a tank of a size bigger than 400 squa yards in area. If it is really necessary that such a tank should be filled u or re-excavated, my prayer is that, the union board at least should come t the help of the poor owner. This provision will at least save a villager fro being wantonly asked to comply with an order of the board in this respect, a in this case, because the board would have to bear a part of the expenses, would think twice before it passes an unreasonable order. I appeal to th Government and the members of this Council to grant my prayer which, my colleagues would kindly think over it, would seem quite reasonable an fair. I beg to point out that I am leaving the board a free hand in respect o insanitary wells, pools, ditches, pits and smaller tanks. The costs of carryin out an order regarding them would not be so prohibitive as that regardin a big sized tank. My Lord, I therefore hope, that my amendment would b accepted."

The Hon'ble Mr. Hart said :—

"My Lord, I must ask the Council not to accept this amendment. I opposing the last amendment, I pointed out that provision for an appe against an order of a union board is made in sub-clause (*4*) of clause 29 (no clause 27), and that it will be for the union board to determine how much o the cost of putting an objectionable tank into sanitary condition should be pai by the owner or occupier. There is no reason to apprehend that the owner o a large tank will not receive at least as much consideration from the unio board or the chairman of the district board, as the owner of a small tank pond or pool. It will be the duty of the union board to decide each case o its merits and to determine how much of the cost of the work should be pai by the owner or occupier and how much can fairly and reasonably be charge to the union fund. As they will probably be fully acquainted beforehan with all the facts and circumstances of each case, the union board will b qualified to come to a right decision. The Hon'ble Kumar Shib Shekhareswa Ray proposes that in every case when a tank, pond or pool of area exceedin 400 square yards, or a quarter of a bigha, is taken up by a union board an put into sanitary condition, half the cost of the work should be borne by th union board. The effect of this amendment would be to confer a privilege o the owners of the largest tanks, that is, ordinarily on the most affluen residents and landlords, at the expense of the other rate-payers of the union The conferment of such a privilege would be unreasonable and still mor unjust.

For these reasons, My Lord, I oppose the amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, my hon'ble friend Kumar Shib Shekhareswar Ray has again appealed to the members of municipalities coming from towns. I wish, there fore, to say a few words. I am afraid if the Hon'ble Mover will kindly read

Sir Deba Prasad Sarbadhikari; Kumar Shib Shekhareswar Ray; Babu Akhil Chandra Datta.

and consider the wording of his amendment he will find that if this amendment is accepted, the board will be compelled to pay the cost of clearing or filling up or cleansing any pond, tank well, ditch, etc., or of improving the same from the funds of the union board irrespective of the circumstances of the party. It may be that my hon'ble friend the Kumar may be the owner of a big tank in that area, and if this amendment is accepted by the Council then he can very well claim that the cost should be defrayed by the union board. Although, I belong to the city, I have got some experience of these things because we have got a similar clause in the Calcutta Municipal Act where we have evidence to show that if the owner of a tank cannot carry out the improvement himself we advance the money from the funds of the Corporation.

After a very careful examination of clause 29(*3*) [now clause 27(*3*)] I find that the union board can call upon the owner to pay part or the whole of the cost, and therefore, I think, the contingency of accommodating the very poor people is provided here, but whereas if this amendment is accepted, then the union board will be compelled to spend every farthing of their funds for the improvement of other people's property, whatever the wealth or position of that party may be."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I should like to endorse Sir Henry Wheeler's plea for expediting the proceedings. The way we are getting on, we are not likely to finish our labours in three or four days. From one extreme of supporting amendments some of us have now come to the other extreme opposing the amendments and labouring the opposition as if the joint pressure of Sir Henry Wheeler, Mr. Kerr, Mr. Duval and Mr. O'Malley is not enough to flatten out any *Gagasur* of an amendment. Where it is necessary to oppose an amendment, it ought to be enough to indicate the opposition. If we are really to get through the Bill as quickly as we would like to a little more self-restraint all round would be useful."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"I have nothing to add to what I have said, my Lord."

The motion was then put and lost.

AMENDMENT No. 91.

The following motion was deemed to be withdrawn :—

If motion No. 90 be carried, the Hon'ble Kumar Shib Shekhareswar Ray also to move that after the word "thereof" in line 5 of sub-clause (*3*) of clause 29 (now clause 27), the words "as the case may be," be inserted.

AMENDMENT No. 92.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, a similar amendment to this has already been lost, so I do not wish to press this."

The motion was then, by leave of the President, withdrawn.

It was as follows :—

The Hon'ble Babu Akhil Chandra Datta to move that after the words "district board," in lines 2 and 3 of sub-clause (*4*) of clause 29 (now clause 27), the words "or local board," be inserted.

AMENDMENT No. 93.

The Hon'ble Maulvi Abul Kasem moved that at the end of sub-clause (*4*) of clause 29 (now clause 27) the following be added, namely :—

"The appeal shall be filed within fifteen days from the date of service of the notice."

He said :—

"My Lord, as no period has been fixed for appeals, I propose this amendment."

The Hon'ble Sir Henry Wheeler said :—

"Sir, the Hon'ble Member's amendment does refer to a defect in the Bill in that we have not stated a period within which the appeal should be filed. In a matter of this kind, fifteen days is a fair period, and I accept this amendment with the slight verbal alteration, viz., that instead of '*the* appeal' we would have '*such* appeal.'"

The motion was then put in the modified form and agreed to.

AMENDMENT No. 94.

The Hon'ble Maulvi Abul Kasem said :—

The next amendment which stands in the name of the Hon'ble Maulvi Fazl-ul-Huq provides also for the period of appeal, but I will not move it, but will move No. 95 which stands in my name and which also provides similarly for the period of appeal.

The motion was then, by leave of the President, withdrawn.

It was as follows :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that the word "reasonable" before the word "period" in line 5 of sub-clause (*2*) of clause 30 (now clause 28) be omitted and at the end of the same sub-clause the following be inserted, namely :—

"Provided that the period specified in such notice shall be such as to give a reasonable opportunity to the owner or occupier, as the case may be, to carry out the requisition contained in the notice, and shall, in no case, be less than one month from the date on which the notice is actually served."

AMENDMENT No. 95.

The Hon'ble Maulvi Abul Kasem moved that at the end of sub-clause (*4*) of clause 30 (now clause 28) the following be added, namely :—

"The appeal shall be filed within fifteen days from the date of service of the notice."

He said :—

"My Lord, I only move this amendment. The principle underlying it is similar to No. 93 which has been accepted by Government."

The Hon'ble Sir Henry Wheeler said :—

"The principle underlying this is the same as that in 93, and for the same reason I accept it with the same verbal alteration, that is to say, for '*the* appeal' I would substitute '*such* appeal'."

Mr. P. C. Mitter; Sir Henry Wheeler; Babu Kishori Mohan Chaudhuri; Mr. Hart.

The Hon'ble Mr. Provash Chunder Mitter said :—

"I would like to draw Your Excellency's attention to the fact whether in rural areas, fifteen days is enough, or whether more time ought to be granted."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"At the risk of being thought too talkative, I think this is a retrograde proposition. No fixed time should be stated here, but a reasonable time allowed. In Calcutta I find people are not quite aware as to when the time expires for hearing an appeal. I think the Hon'ble Member would do well not to press his motion."

The Hon'ble Sir Henry Wheeler said :—

"My view is that a period of fifteen days is not unreasonable, and if it is a matter of urgency, we want the persons concerned to file their appeals quickly. Fifteen days gives them fair time to ask to have an order revised, and for my part I am prepared to accept the motion."

The motion was then put in the modified form and agreed to.

AMENDMENT Nos. 96 & 97.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the words "ten rupees" in line 9 of sub-clause (*3*) of clause 31 (now clause 29) the words "four rupees" be substituted.

He also moved that for the words "two rupees" in line 10 of sub-clause (*3*) of clause 31 (now clause 29) the words "one rupee" be substituted.

He said :—

"It is a question of daily fine under sub-clause (*3*) of clause 31 (now clause 29) where it is provided that there should be a daily fine in addition to the fine imposed for the non-performance of certain things. In the case of masonry buildings there should be a daily fine of Rs. 10 and Rs. 2 for non-masonry buildings. It seems that the purpose will be served if the fine is Rs. 4 in the former case and Re. 1 in the latter for daily disobedience. It is a simple matter and I hope it will be accepted."

The Hon'ble Mr. Hart said :—

"My Lord, I must advise the Council not to accept this amendment or rather the two amendments 96 and 97. The penalties provided in the Bill now before the Council are exactly the same as in section 118 of the Local Self-Government Act of 1885, and no protest has ever been raised nor has any opinion been received from any person who has reported on the Bill, that the penalties provided in the Act of 1885 were excessive. The Council will also be interested in learning that no recommendation has been made to the Select Committee for any modification of this clause. The Hon'ble Babu Kishori Mohan Chaudhuri has not objected to the substantive fine but proposes that in the case of a masonry building, where a substantive fine up to Rs. 100 may be imposed, the limit of the continuing fine should be Rs. 4 instead of Rs. 10. The Hon'ble Member has tacitly admitted that the substantive fine provided is not excessive and I would submit that when a person who has been fined still continues to disobey the magistrate's order, a further continuing fine not exceeding one-tenth of the maximum substantive fine is not disproportionate. As regards non-masonry buildings,

the substantive fine is Rs. 20 and a provision is made for a further daily fine not exceeding Rs. 4 in case the offence is still continued after the magistrate has ordered it to stop. In this case the Hon'ble Babu Kishori Mohan Chaudhuri desires that the fine should not exceed Re. 1, although he does not object to the substantive fine, and as the penalties are exactly the same as have been provided in the old Act of 1885, I would submit that no reason for supporting these amendments has been made out."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"I have nothing further to add, my Lord. I leave the matter in the hands of Government. I thought it excessive and therefore, I suggested a reduction ; because the same amount has been provided for in other enactments, that is no reason why it should be so in this case, especially as in this case poor mafussal persons are concerned.

The motions were then put and lost.

AMENDMENT No. 98.

The Hon'nble Babu Akhil Chandra Datta said :—

"My Lord, for reasons explained by the Hon'ble Sir Henry Wheeler in respect of amendment No. 86, reasons which I have also accepted, I should not like to press this amendment."

The motion was then, by leave of the President, withdrawn.

It was as follows :—

The Hon'ble Babu Akhil Chandra Datta to move that after the words "district board" in line 5 of sub-clause (*1*) of clause 32 (now clause 30) the words "or local board," be inserted.

AMENDMENT No. 99.

The Hon'ble Babu Akhil Chandra Datta moved that the following be inserted after clause 37 (now clause 36), namely :—

"37A. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, the president of a union board shall have powers current with those of the officer in charge of the police-station within the local limits of whose jurisdiction the union is situated, for the arrest of persons enumerated in sections 54 and 55 of the Code of Criminal Procedure, 1898, and the provisions of the said Code about arrest shall apply *mutatis mutandis*.

"37B. (*1*) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, the president of a union board shall have concurrent jurisdiction with that of the officer in charge of the police-station within the local limits of whose jurisdiction the union is situated, in exercising all the powers and performing all the duties laid down in Chapter XIV of the Code of Criminal Procedure, 1898, respecting informatoin and investigation of the following offences, namely :—Offences under sections 143, 147, 269, 277, 279, 283, 324, 325, 335, 341, 342, 379, 380, 411, 428, 447, 448, 453, 454, 456 and 457 of the Indian Penal Code.

(2) All the provisions of Chapter XIV of the Code of Criminal Procedure, 1898, applicable to an officer in charge of a police-station, shall be applicable, *mutatis mutandis*, to the president of a union board :

Provided that the power conferred under section 170 of the Code of Criminal Procedure, 1898, shall not be exercised by the president of a union board without the concurrence, in writing, of two other members of the union board elected annually in that behalf by the members of the union board.

"37C. The president and other members of the union board shall exercise the powers conferred by sections 37A and 37B subject to the control of the district magistrate and subdivisional magistrate.

"37D. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, the president of a union board shall exercise the powers contemplated by sections 64, 127 and 128 of the said Code."

He said :—

"The proposal for investing the headman of the village with police powers is not a new one. It is an old proposal urged from time to time by many responsible administrators and statesmen. But no step has yet been taken in this behalf. The Police Commission of 1902-03 remarked :—'The Commission are strongly convinced of the impossibility of carrying on an efficient police administration by means of official policemen only. It is absolutely essential to secure the aid of the village community. This is necessary from the purely Government point of view : It is impossible to support the expense of a force which would be adequate to obtain information regarding crime over the extensive area and among the vast population of India, without securing the co-operation and inforcing the responsibility of the village authorities. It is necessary also from the people's point of view. Even if the expensive establishment required could be maintained, it would be vexatious and intolerable to the people. Constant interference by the police, constant espionage on village life, constant visit of officials of the lowest grade, constitute an intolerable burden and vexation to the people. It is immeasurably better to utilise and develop the village agency for reporting crime, to leave the people, as far as possible, to dispose of petty matters for themselves, and to limit interfenence to villages when there has been failure in the discharge of responsibility in respect of reporting, or to cases in which the matter is serious enough to demand interference.'

We read again in paragraph 44 of the said report :—'The village community is represented "ordinarily" by its headman ; and effective police administration must be based on the recognition and enforcement of the responsibility of the headman. He is the man who can really help the police, his position and influence should be strengthened ; and it is to him that the police should look for co-operation in their work. * * * * . The Commission consider it to be of vital importance to emphasise the responsibility of the village headman, and to hold the village police-officer, by whatever name he may be locally known, responsible rather as the subordinate of the village headman and his servant for the performance of police functions. The village headman for police purposes ought, as far as possible, to be the man recognised as headman in respect of the revenue and general administration of the village ; when that is impossible, he ought to be a man of position and influence in the village ; and the district officer ought to maintain and strengthen his position and influence. It is necessary to repose a large discretion in him and firmly to acknowledge hisrespectability and

authority in the village'. Accordingly the Police Commission made the following two most important recommendations :—

(*a*) That it is of paramount importance to develop and foster the existing village agencies available for police work.

(*b*) That the responsibility of the village headman for the performance of the village police duties should be recognised and enforced in every province.

But no serious and sustained efforts have been made to execute these recommendations. Some half-hearted measures of a spasmodic character have been taken from time to time to give police powers to the village headman. The president of the panchayat system introduced by Mr. Savage in 1904 was invested with powers under sections 64, 127 and 128 of the Criminal Procedure Code. He was authorised to correspond directly with the magistrate; and the chaukidars were required to parade before him. These powers might satisfy his vanity, but after all real power and responsibility cannot be substituted by such illusory make-believe. These reforms were in keeping with the latter, but not with the spirit of the recommendation of the Police Commission. We have the verdict of the District Administration Committee who rightly observed that the scheme was a step in the right direction, but that it did not go far enough towards giving the president any real power or responsibility. Even these so-called and small powers were resented by the police, and we find that even the parade of chaukidars before the president was discontinued later on. It may be said without any exaggeration that the presidents of to-day even in those districts in which the system has survived unaltered do not enjoy or exercise the shadow of any police power. The District Administration Committee recommended that the continued union panchayats which are to be the foundation of the structure of the Local Self-Government should exercise not only municipal, and judicial functions but police function to boot. That report is the basis of the Village Self-Government Bill, and it must have struck the most superficial student of the Bill that though provisions have been made for giving municipal and judicial powers of a very responsible character to the presidents they have not been invested with any police function.

There is an apprehension in certain quarters that substantial police power given to the presidents will have the effect of weakening the influence of the regular police in the villages There are some extremists amongst the officials who would divest the village Council of all police functions. We know that various steps have been taken from time to time to enhance the influence of the official police in the villages. It is a matter of profound regret that the framers of the Bill before us should have accepted and acted upon this orthodox opinion. The present Bill is the outcome of a policy of trust in the people. It is based upon the doctrine laid down by Sir Rivers Thompson half a century before, while introducing the Chowkidari Bill, 1870, that it is the duty and policy of the Government to leave as much as possible of the business of the country to be done by the people themselves. This Bill proposes to give us powers which were formerly withheld. It is proposed to invest the president with powers of a magistrate and a munsif. These are powers of immense responsibility. How is it then that the framers of the Bill do not venture to give him the powers of a daroga. Babu Dakshina Charan Sen, a retired Deputy Magistrate has, in his illuminating and valuable note, shown, on the basis of figures taken from Police Administration Report the absolute futility of police investigation in certain classes of offences. He has shown that the police may be relieved of these duties with advantage both to the Government and to the people, and he has emphasised the importance of investing the union board with powers enjoyed by police-officers under the Criminal Procedure Code. I do not propose, nor have I the power

in a Provincial Council to propose, that these powers should be given exclusively to the village president. I only propose that the president should enjoy these powers concurrently with the thana officers. I concur with Babu Dakshina Charan Sen in recommending that for the present the president be given power to take cognizance of the following offences under the Penal Code, namely, sections 143, 147, 269, 277, 279, 283, 324, 325, 335, 341, 342, 377, 380, 411, 428, 447, 448, 453, 454, 456 and 457.

My Lord, I think it is high time that these police functions should be entrusted to the president of the union boards. That was the recommendation of the District Administration Committee ; there is no reason why, while the other recommendations have been accepted, this particular recommendation should not be accepted. As regards the powers under sections 64, 127 and 128, these are powers which, as a matter of fact, were conferred already upon the presidents by the system introduced by Mr. Savage. With these observations, I move this amendment."

The Hon'ble Sir Henry Wheeler said :—

"Can the Hon'ble Member give the reference to the paragraph in the District Administration Committee's report which endorses his proposal ?"

The Hon'ble Babu Akhil Chandra Datta said :—

"I shall require one or two minutes to do so."

The Hon'ble Mr. Kerr said :—

"This amendment, my Lord, as the Hon'ble Member has observed, is an important one. The Hon'ble Member has given us as his authority, for a provision of this nature, the Police Commission's Report and the District Administration Committee's Report. I think there must be some misapprehension as regards the Police Commission's Report. What the Police Commission said was that we should utilise and develop the village agency for reporting crime and leave the people as far as possible to dispose of petty matters for themselves. These two things we have provided for in this Bill. Clause 26 (now clause 23) of the Bill gives the chaukidar power to report crime, and Part II of the Bill gives power to the union bench to dispose of petty offences. That, I think, is as far as the Police Commission ever meant to go, and as far as I know, there is nothing in the report of the District Administration Committee to indicate that they proposed to go further. What the Hon'ble Member proposes to do is to go a very long way further and to turn presidents of union boards into police-officers. He proposes to give the president power to arrest criminals or suspicious persons or persons without any ostensible means of subsistence, or persons who cannot give a satisfactory account of themselves and so on, and not only this, but the president is to have the power of investigating a long list of offences including riots, grievous hurt, unlawful restraint, theft, mischief, criminal trespass and burglary. It is further proposed that in exercise of his power of sending up accused persons for trial, the president shall act only with the concurrence in writing of two other members of the union board to be elected annually for the purpose by members of the union board. I would ask the Council to consider seriously what the practical effect of these two proposals is going to be. In the first place, do we want to invest the presidents of union boards with these extensive police functions?

We are giving them new functions and heavier responsibilities in the matter of providing for sanitation, public health and the well-being of the villages. We are giving them power to try cases as amateur magistrates and as amateur civil courts. For all this, we have a precedent in the rural parts

of England and Scotland, where for many generations, country gentleme have exercised functions of this kind in an amateur sort of way to the gener satisfaction of the community among which they live. We believe tha at any rate, in parts of Bengal, a similar experiment has a fair chanc of success and we propose to try it here. I do not think however tha anybody, except the Hon'ble Member, has ever proposed to go so fa as he does in the matter of vesting the members of village committee with the powers of the regular police, and I think it would be ver risky to do so at a time when we are enlarging their functions i other and as we consider more suitable directions. I, therefore, objec to the proposal contained in this amendment on principle, and I objec still more to it as a matter of practical working. The first thing to notic is that this clause 37B gives the president concurrent jurisdiction with th officer in charge of a police-station to investigate the offences which I hav mentioned. Now it is an axiom in all police work that it is a fatal mistak to have dual-investigating authorities going into a case at the same time If you have two men investigating a case, they will start different theorie and different methods of investigation and both of them will make a thoroug mess of it, not to speak of the worry which would be caused to th parties and witnesses by having to attend on two separate investigatin authorities. This difficulty arises in every civilised country at present a between the local police and what we call here the Central Criminal Investi gation Department. The local police start on the investigation of a case, an then a Criminal Investigation Department man comes down from head quarters and drops in with a new line of investigation and sometimes spoil the whole thing. That sort of difficulty can be obviated by careful arrange ments when both the investigating authorities are under police discipline an subject to the same authority, but the Hon'ble Member proposes to giv investigating powers to a non-official agency subject to no discipline o authority whatever. That is the first practical objection to the Hon'bl Member's scheme.

Now suppose the president has got over these difficulties and has manage to catch his thief and has decided to send him up for trial. Do you suppos that his troubles are over then? Under the present amendment, as it stands he has then got to go and get hold of two of his colleagues on the board, t show them all the papers of the case and to get their concurrence before h can send the accused up for trial before a magistrate. These two members would want to send for all the witnesses in the case and to see all the papers relating to it, and would thus cause a great deal of worry and trouble to all concerned. besides, the further risk of the case breaking down at that stage. Let us now make a further assumption and suppose that these difficulties also have been got over and the case is actually sent up for trial. We all know that the line frequently taken by the defence in court is t get hold of the first information and to cross-examine the investigating police-officer and anybody who had anything to do with the investigation of the case and to try to make them contradict themselves. Then the defence counsel argues that the case is false, because the police-officers could not tell a consistent story. If this amendment was carried, the defence would be able to cross-examine the president and the two members of the boards besides the police-officer who had assisted in the investigation, or who might have been carrying out a separate line of investigation of his own. There is every prospect that the case would break down, without the merits having been gone into at all. This is not an exaggerated account of the manner in which this proposal would work. The only person who would benefit would be the thief or the burglar. The chances are that he would never be sent up for trial at all, and if he was sent up, he would almost certainly be acquitted. I submit, therefore, my Lord, that the proposal would be quite unworkable in practice, and that the Council would not be well-advised to accept this amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, as regards the quotations that have been made, so far as the quotations from the Police Commission's Report are concerned, I have given the references, and have quoted the exact words. As regards the other report—I mean the report of the District Administration Committee—I find the following proposals made by them on page 110 of the report :—

'The functions of the union panchayats under the proposed circle scheme will include the following :—

Police Chaukidari.	Executive.
Judicial.	Local Self-Government.'

Now, my Lord, the functions of Judicial, Executive and Local Self-Government have been given to the presidents ; the only question that has been made is in the case of police courts ; that is the general principle that has been laid down. Later on it is said in this report—

'It is proposed that each member of the panchayat should be appointed headman under section 45 of the Criminal Procedure Code, not for the entire union but only for the particular ward which he represents. His functions will be those prescribed by the Village Chaukidari Act and by the rules in the Chaukidari Manual, except that, if a Secretary is appointed to receive and collect the tax, it will not be necessary for the panchayat to appoint one of their own number to be a collecting member.

In paragraphs 49 to 57 of their letter of the 7th August, 1911, the Eastern Bengal and Assam Board have dealt very fully with the question of the duties to be entrusted to the panchayats under the heads "Police and Crime" and "Village Police," and we agree generally with their proposals.'

Now, my Lord, what seems to me to be most remarkable is this : that although there was a Police Commission who inquired into the whole question, although they made their recommendations, although there were several resolutions on the subject issued by the Government and although the principle was recognised by the District Administration Committee, it is very remarkable that even the principle has not been accepted in the Bill. On the question of details I may be wrong—I may have asked for more powers than I should have asked and probably there may be differences in details—but the question arises—has this Bill recognised even the principle that has been laid down by the Police Commission that many police functions should be given to the president of the village? Their recommendations are very very strong and I have already placed them before the Council. They said that it is necessary not only from the people's point of view but also from the Government's point of view. These were the recommendations made in 1902-03, which were discussed again by the District Administration Committee, who proposed that police functions should be given to them. That report is the basis of the present Bill. Was it not proper that these recommendations should have been accepted? It has not been done. Of course we can argue on both sides—I can give my own reasons and the Hon'ble Mr. Kerr can give his. But what appears to me is this : are we not more or less bound to accept the recommendations of the Police Commission on a matter like this? Of course there is no legal bar, but I should think that it is rather too late in the day to refute the principle laid down in the report of the Police Commission. If that principle had been recognised in the Bill there might at least have been some difference of opinion, but what cannot be explained is that here was an occasion on which the recommendations of the Police Commission should have been accepted ; although an attempt has been made to raise the status of the chaukidar to that of a police officer on the ground that these powers were given in 1870,

but we are now in 1919. That is reason for advance with regard to chaukidars, but what about the president. Of course, if these were the recommendations and not revolutionary proposals made by any untrained man without any knowledge of the subject or by any impatient idealist, then of course I would not have pressed them, but my recommendation is based on the verdict of the Police Commission and there is no reason why that report should be brushed aside like this absolutely. I must confess that I may possibly be wrong in the details I have given, but certainly the principle should have been recognised, and I think Government should consider as to whether the recommendations of the Police Commission should be given effect to or not."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I take strong exception, on the evidence which the hon'ble mover has laid before the Council, to the inference that he has drawn that his extraordinary proposal has the support of the District Administration Committee. I particularly requested him to give his references, and in answer he refers to the word 'Police' in paragraph 126. Apparently he would have us believe that the mention of the word 'Police' covers his proposal, although the Committee devoted pages and pages to explaining in detail what exactly they did mean, and it is incomprehensible that if they had contemplated anything like this inquiry by an elected authority, they would not have said so in specific language. The reference, I take it, in paragraph 126 is to the supervision over the police functions of chaukidars, and it is incredible, if I may say so, that the Committee could have contemplated so great a change in procedure as the amendment suggests without justifying it by detailed reasons. I can give the Hon'ble Member another reason which would almost have rendered it obligatory that they should have justified their action if they had wished to take up a position analogous to the amendment. I have referred previously to Mr. Savage's inquiries and to certain orders that were passed about the time of his investigations which did encourage reports of offences being taken to the president of the panchayat. Because it was found that those rules, which were only meant to cover the reporting of offences, encouraged the presidents to fancy themselves investigating officers, the system was discarded; and in the light of that fact I say again that it is incredible that the District Administration Committee should have recommended the revival of that system without even a word of explanation."

The motion was then put and lost.

AMENDMENTS Nos. 100 AND 101.

In the absence of the hon'ble mover, the following motions were deemed to be withdrawn :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that for clause 38 (now clause 37) the following be substituted, namely :—

'38. (*1*) By the month of October in each year, the union board shall prepare a budget of expenses for the next financial year and submit the same to the district board by the end of the second week in November. The district board may call for any information or explanation regarding the expenditure which the union board proposes to incur and may make such modifications in the budget as they think fit :—

Provided that in the case of any difference of opinion with regard to any item of expenditure between the union board

and the district board, an appeal shall lie at the instance of either board to the District Magistrate, whose orders shall be final.

(*2*) The district board shall then decide, by the end of January, how much of the expenses of the union board shall be met by contributions and grants from the district fund, and shall place such sums at the disposal of the union board at least one month before the beginning of the financial year.

(*3*) The balance of the expenses of the union board shall be met by contributions made by the Local Government."

If motion No. 63 be carried, also to move that sub-clause (*a*) of clause 38 (now clause 37) be omitted.

AMENDMENT No. 102.

The Hon'ble Babu Akhil Chandra Datta moved that after the words "owners or occupiers of buildings" in line 2 of clause 38 (now clause 37) the words "and on the owners of fisheries, carts, carriages, boats and steamers" be inserted.

He said :—

"My Lord, this is in regard to the difficult question of the financing of the union board. We all know that it is rather difficult to finance the union boards properly in view of the ambiguous programme of work that has been placed before the union boards. Therefore all attempts made to increase the resources of the union boards should be welcomed. Now, all that I propose is this that the owners of fisheries, carts, carriages, boats and steamers be included, because we all know that the owner or occupier of a building is liable to taxation and the owner of a fishery may be in a very much better position to make the payment. I do not know the reason why he should escape the taxation. Then we also know that there are people in the villages who do business in boats and so on, and they are precisely the people who are in a position to contribute to the union fund and who should not escape the taxation. In the villages even those people who are owners or occupiers of *kutcha* houses or sheds are liable to taxation and therefore it is only fair and proper that these people, who are owners of fisheries, carts, carriages, etc., and derive an income from all that should also contribute towards the union fund.

Now as regards carts and carriages I would draw the attention of the Council to the recommendation of the District Administration Committee on page 100 where they say—

'We think therefore that there is no need to widen the basis of taxation, and that the possession of a house or cutcherry should continue to be the criterion for the imposition of the tax. It might, however, be made clear that a house includes a building, boat or temporary structure in which business of any kind is transacted, and not merely a dwelling house, which is the construction liable to be put upon the section as it stands.'

The section here referred to is the section of the Chaukidari Act. In this connection I can refer to section 118(c) of the Local Self-Government Act of 1885 (Bengal Act III of 1885), where of course the words are tank, water-course and so on. I have advisedly omitted tanks and water-courses as they are not proper subjects for taxation ; and so in their place I have proposed fishery because that is a source of income and that is the reason why I want to include fisheries.

With these words, my Lord, I propose that these words may be included."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, in framing the taxation proposals of the Bill, we adhered as closely as possible to the two precedents of the Chaukidari and Local Self-Government Acts. The people who are assessable under the Chaukidari Act, in accordance with section 14, are the owners or occupiers of houses in any village and any person who has within such a village a cutchery for collecting rents; the people who are assessable under section 118-C. of the Local Self-Government Act are the owners of buildings, tanks, wells or water-courses, and the Council may remember that, at one time, tanks, wells and water-courses figured in the Bill. The first Select Committee, at the request of one Hon'ble Member, took out wells and the second Select Committee took out tanks and water-courses, after examination of the reasons for which they were put in section 118-C., which we thought were inadequate. That, therefore, left us with the owners and occupiers of buildings, who now stand in the clause, and I would deprecate the fresh departures which this amendment suggests. The scope of taxation, as it now stands, is clear. It covers the people who own or occupy buildings, and assesses them according to circumstances and property; that is to say, it adopts a personal basis of taxation for those who are the owners or occupiers of property in the village; but if we bring in these other suggestions advocated in the amendment, we get to rather different considerations.

With reference to fisheries, if, of course, the owner of a fishery, owns or occupies a building in the village, he will be assessable; if he does not then he rather ranks with the absentee landlord; and fisheries like lands—I may remind the Council—are assessable to road-cess. It has been a subject of discussion whether the absentee landlord should pay the union rate; but we have not thought fit to render him liable to taxation, and if we do not render the absentee landlord liable, there is no particular point in rendering the absentee fishery owner liable; whereas, if he is not an absentee, he will come in as the owner or occupier of a building.

"When we come to carts, carriages, boats and steamers, and the owners thereof, we get back to the idea underlying certain forms of municipal taxation, *namely*, the idea of a conveyance tax—that the users of the roads and water-channels should pay for their upkeep from which they benefit. That is a different consideration from the basis of taxation in the Bill, which, as I have said, is in accordance with the two precedents which are the foundation of these proposals. As the Hon'ble Member has referred to the opinion of the District Administration Committee, I may point out that they wanted to assess the owners *and occupiers* of boats, and, in the circumstances of Eastern Bengal, there is something to be said in favour of the idea on which, I believe, Sir Nicholas Beatson-Bell was personally keen. We had some talk about it in Select Committee, but we thought that there were practical difficulties in the way, and we dropped it. The scheme of the Bill is simple, and I would deprecate complicating it further."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing to add, but I wish to point out that this is at least one occasion on which in a question of local taxation by the people themselves the non-officials want to go more than the officials because the charge is always laid at our door that we the non-officials are always averse to taxation. On the merits of the amendment after what I have heard from the Hon'ble Sir Henry Wheeler, of course I also cannot speak with anything like confidence, and I feel that for the reasons which have been

explained by the Hon'ble Sir Henry Wheeler, I am not in a position to say that they are not sound. So owing to this state of uncertainty I would not press this amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 103.

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"This amendment has become unnecessary, therefore I request permission to withdraw it."

The motion was then, by leave of the President, withdrawn. It was as follows :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the words "the sum" in line 1 of sub-clause (*a*) of clause 38 the words "half the sum" be substituted.

AMENDMENT No. 105.

The **Hon'ble Rai Radha Charan Pal Bahadur** moved that the words "if any" in line 2 of sub-clause (*a*) of clause 38 be omitted.

He said :—

"Clause 38 of the Bill prescribes the imposition of the rate, and the work of the union board as far as I can gather from this Bill will be carried out from the proceeds of that rate, called the union rate, which will be levied on the area, and the union rate will be calculated on the basis of the cost of the salaries and equipment of chaukidars and daffadars deducting the contribution, if any, made by the local Government and the estimated cost required for carrying out other works imposed on the board under this Act. My object in moving this amendment is that the words 'if any' may be deleted, that is to say, that the Government contribution should be assured to the board. I do not ask the Council to lay down any hard-and-fast rules. These words 'if any' make it an uncertain factor, but if these words are removed, they are certain to obtain some contribution. As far as I find the payment of salaries of chaukidars and daffadars and their equipment is made a first charge upon the revenues of the union boards under clause 47 (now clause 46), and these daffadars and chaukidars have to be employed by the union boards, not for the purpose of municipal work but for the purpose of ordinary administration. Under schedule 2 it will be seen that they have to do the work of regular police in the area where they will be employed. All cases of murder, dacoity, theft, house-breaking and all possible offences shall be taken cognizance of by this police staff. Strictly speaking it is not municipal work, but work which properly belongs to the State, and State-aid should therefore be guaranteed, whatever that amount may be. My proposition is a very simple one; it does not fetter the hands of the Government to any definite sum, it would be quite at the discretion of the Government to contribute Re. 1 or Rs. 1,000. My amendment is framed with the object that the principle that contributions should be made by Government should be accepted, and it is left to the option of the Government what the amount of that contribution should be, whereas the imposition of the rate will be a statutory obligation on the part of the union. Assuming that a greater part of the rate is consumed by the payment of these chaukidars, and if no Government contribution is forthcoming, then works of other kinds in the union would suffer.

There are various works to be taken up by the union board in connection with sanitation, drainage, etc., and offences under the Cattle Trespass Act and variour other things, and therefore it will be seen that the union board will require a considerable sum of money to do their work. These unions will be established in areas where there are no municipalities, and they will have to do the work of the municipality and if the salaries of chaukidars etc., were made the first charge upon their revenues, I think it is only fair and reasonable that they should get some Government contribution, and that there should not be any ambiguity about it. I am sure Government will contribute a sufficient sum of money, and when Government are really willing to do so, I think there should be no objection to having a provision in the Bill to this effect. It will reassure the public mind, and it would look very graceful."

The Hon'ble Sir Henry Wheeler said :—

"Sir, the suggestions underlying these amendments are similar to those which we argued yesterday, and I do not propose to repeat the arguments at length. The clause which the Hon'ble Member would have us amend deals solely with the salaries of chaukidars and daffadars and the cost of their equipment, and it says that the union boards shall raise the necessary funds less the contribution, *if any*, made by Government. The Hon'ble Rai Bahadur desires to leave out the words 'if any', in order to make it obligatory on Government to make a contribution to the union board which would be used towards the cost of chaukidars and daffadars. May I first explain why we put in these words 'if any'. They were inserted in view of the practice which is at present in force in one district of this province, under which, as an experimental measure, Government has contributed to the pay of daffadars. The idea of daffadars is that they should be a better class of men than the chaukidars—in fact, what Mr. Kerr has termed this morning, a sort of non-commissioned officer. The status of the daffadar is still to some extent experimental, and in order to see if we could get a better class of men by offering better pay, in one sub-division we offered to contribute a share of their pay in order to be able to give a higher pay than the panchayet could afford. In return for that contribution we asked the panchayet to let us have a much larger voice in the selection of the persons appointed. The panchayets agreed and that experiment is now in force. It is somewhat early to say whether it has proved itself a success or not, but it was largely with that experiment in mind that the original proposal of the Bill was framed which would have vested the appointment of the daffadar in the district magistrate. We dropped that proposal and are maintaining the present system, and to that extent there is the less reason for altering the present system by which the pay of the daffadars and chaukidars is ordinarily met from the village assessment. The case to which I have alluded was an exceptional case entirely. It was justified by special reasons, and it is a different proposition altogether to ask us to accept a change of wording which is going to establish the principle—a very far-reaching principle, although the Hon'ble Rai Bahadur calls it a very simple amendment—that Government is under an obligation to contribute to the pay of chaukidars. Yesterday the Hon'ble Babu Kishori Mohan Chaudhuri proposed a definite amendment that Government should contribute half of this cost, and I explained the reasons why we could not do so and why we could not accept so large a financial obligation. If we did, we should only have to raise the money from some other sources. The point has been considered before, and it was held that, all things considered, the assessment of the union rate was probably more acceptable to the people than anything else. The alternative of a land cess had been shown by experience to be highly unacceptable to the zemindars, while the consequences likely to ensue from

such a change of principle, viz., the supercession of the village union by Government in the matter of the control of chaukidars, and the tendency to convert the chaukidar into a member of the police force, would be greatly resented in various quarters. For these reasons that amendment was eventually lost, and I maintain that the arguments apply equally to the present proposition, even though the Hon'ble Rai Bahadur says that he does not mind how much Government contributes so long as it accepts the principle that it should contribute. To that my answer would be that if we are obliged to contribute and if we contribute, say, an anna, we are reducing the Act to a farce. Obviously, if we concede the principle, we must contribute substantially, and probably, nothing short of a contribution of a half, which Babu Kisori Mohan Chauduri proposed, would be regarded as fair if we undertook the obligation. For these reasons I oppose the amendment."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I wish to say something on this matter. I must confess that I labour under the disadvantage of living in a town where there is no chaukidari system in vogue. But I feel that my hon'ble friend Rai Radha Charan Pal Bahadur, who is also a cityman, has said something which commends itself to me and that being so and having had the advantage of hearing the discussion which took place in Council yesterday as to the reason for the provision of making the chaukidar or the dafadar not much of a servant of the union board, I feel I have got to say something on the subject. The chaukidars and dafadars are police-officers and, therefore I venture to support the proposition put forward by the Hon'ble Mover that there should be something in the Bill which would lay down the principle that the State should contribute something to the fund out of which its expenditure is to be met. In private life we see that if a person serves you, you serve him too or pay him, and it is but right that Government should contribute something towards the expenditure for keeping men who will be joint servants of the Government and the union board. As my hon'ble friend has suggested the principle may be laid down in the Bill. Of course if the Government are to contribute an anna it could be a farce. But the actual proportion of contribution may be left to the good sense of the Government. If the words 'if any' are allowed to remain in the Bill there will always be the apprehension of Government saying that under the Act it is not obligatory on them to pay anything. And I do not think it is an improper request on the part of my hon'ble friend that these words should be left out."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have tried to follow Sir Henry Wheeler, and as far as I understand him he will not accept the amendment because by doing so he would be accepting the principle of the Government contribution. I shall be content to leave it to the House to consider whether that principle has not been already accepted in the clause as it stands. The clause says that the union board shall impose yearly on the owners and occupiers of buildings a rate amounting to the sum required for their expenditure, less the contribution, if any, by Government. Now, my Lord, if it is not the intention of the Government to conribute anything why should these words be placed here to raise false hopes in the minds of the people. The very fact that these words appear in the clause shows that the Government do intend to contribute something. Hence, the principle of Government contribution is accepted. The union boards are enjoined to do various municipal works by various clauses, chiefly by clauses 28, 28A, 29 and 30 (now clauses 25, *et seq*). They are required to maintain roads, see to the water-supply, improve the drainage and conservancy, and generally to do all works calculated to promote the health, convenience and safety of the public. The expenditure is to be met

from the union fund. But if the salaries of chaukidars and dafadars are to be made the first charge on their income, and after meeting that charge the balance available is not sufficient to meet the charges for municipal work what are the union boards to do? How are they to carry on their municipal work? You may say that they may increase their rate. But so far as I remember the District Administration Committee themselves said that the imposition of local taxation would make self-government unpopular in these rural areas. I, therefore, suggest that Government should contribute substantially if they wish to make self-government successful in this country. The principle, as I have said, is accepted in the clause. I want to make it obligatory but at the same time I do not want to lay down that Government should contribute a certain percentage. They may contribute one anna or one thousand rupees. Of course I know it would be ridiculous to pay one anna, and I am sure Government will contribute a substantial sum according to the requirements of the union board. All I want is to make it obligatory on the part of the Government to pay something to these self-governing local bodies which will help them in making self-government successful at its initial stage.'

A division was taken with the following result :—

Ayes—12.

The Hon'ble Sir Nilratan Sarkar, KT.
" " Mr. Arun Chandra Singha.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—27.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahatab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr. F. C. French, C.S.I.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr. H. P. Duval.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Colonel J. K. Close, M.D., I.M.S.
" " Mr. W. C. Wordsworth.
" " Mr. C. F. Payne.
" " Mr. S. G. Hart.
" " Khan Bahadur Maulvi Aminul Islam.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. V. Mansell, O.B.E.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. L. V. N. Meares.
" " Mr. Provash Chunder Mitter, C.I.E.
" " Kumar Sib b Shekhareswar Ray.
" " Mr. W. H. Phelps.
" " Mr. G. A Bayley.
" " Maulvi Abul Kasem.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" " Babu Siv Narayan Mukharji.
" " Babu Brojendra Kishore Ray Chaudhuri.
" " Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. W. E. Crum, O.B.E.
" " Mr. H. R. A. Irwin, C.I.E.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Mr. Altaf Ali.
" " Babu Surendra Nath Ray.
" " Mr. K. B. Dutt.

Babu A. C. Datta; Sir Henry Wheeler; The President.

The Ayes being 12 and the Noes 27, the motion was lost.

AMENDMENT No. 104.

An identical motion, No. 104, standing in the name of the Hon'ble Babu Surendra Nath Ray was deemed to be withdrawn.

AMENDMENTS Nos. 106, 107 and 108.

The following motion was, by leave of the President, withdrawn :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that the words, "if any, made by the Local Government in this behalf" in lines 2 and 3 of sub-clause (*a*) of clause 38 (now clause 37) be omitted.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I think there is something inappropriate in the arrangement as I find that I cannot move No. 107 without having a decision of the Council on No. 108 and that again I cannot move without a decision on No. 133. But I would like to solve the whole difficulty in this way—No. 133 refers to a compulsory contribution by Government and that point having been just now decided in Council it is no good moving that amendment now. Strictly speaking, I should think that it is out of order, and if I cannot move No. 133 I cannot move No. 108 either and necessarily No. 107 also falls to the ground. That being the real position, my Lord, I think the proper order is that Your Excellency will rule No. 133 as out of order, then all these will fall to the ground.

The Hon'ble Sir Henry Wheeler said :—

"Sir, in the first place it is correct that Nos. 107 and 108 must be read as one; and it is also correct that No. 133 would make it obligatory on Government to make a contribution of a third of the total expenditure of the union board, Therefore, I think, the Hon'ble Member is correct that No. 133 is covered by the decision of the Council."

The President said :—

"The Hon'ble Member is referring to item 133, *i.e.*, the proposed new clause 46A. Is that so?"

The Hon'ble Babu Akhil Chandra Datta said :—

'Yes, my Lord."

The President said :—

"That is certainly out of order owing to the decision already come to by the Council. That being so, does the Hon'ble Member propose to withdraw Nos. 107 and 108?"

The Hon'ble Babu Akhil Chandra Datta said :—

"Yes, my Lord."

The motions were then, by leave of the President, withdrawn.

They were as follows :—

The Hon'ble Babu Akhil Chandra Datta to move that the words "afte deduction of the contribution, if any, made by the Local Government in thi behalf" in lines 1, 2 and 3 of sub-clause (*a*) of clause 38 (now clause 37) b omitted.

Also to move that after the words "from defaulters" in the last line c clause 38 (now clause 37) the following be added, namely :—

> "after deduction of the contribution made by the district board unde section 46 and by the Local Government under section 46A."

AMENDMENT No. 109.

The Hon'ble Babu Akhil Chandra Datta moved that after clause 38 (no clause 37) the following be added, namely :—

> "Provided that the owners of the buildings which remain unoccupie throughout the year shall be assessed at half of the amoun which they would otherwise have been liable to pay."

He said :—

"My Lord, what I really intended was this : th re are many cases i which the people live in the town although they have got a homestead in th village, and that they do not come to the village except for, say, 12 days in th year during the Puja vacation. A very large number of people fall unde this category. I think it would be a great hardship upon them if they are t pay the tax as if they are living in the villages all the 12 months in the yea and at the same time in the interest of the union board they cannot escap the taxation altogether. Therefore I propose that their liability should be t the extent of 8 annas."

The Hon'ble Mr. O'Malley said :—

"My Lord, this amendment follows to some extent the procedure of th Bengal Municipal Act. Section 95 of that Act provides that where a tax o persons is levied the assessment on a holding which becomes vacant in th course of the year shall cease to have effect from the first day of the quarte after that in which it became vacant. Section 110, which applies in case where there is a rate on holdings, prescribes a different system. That sectio provides that if a building is vacant for 60 consecutive days or more in th year, half the rate shall be remitted or refunded, as the case may be, in pro portion to the number of days unoccupied ; but the owner must give notice o the vacancy and apply for a refund within six months of his notice. Both these sections are different from the present amendment. The former pro vides for the assessment ceasing in the next quarter, the latter for a propor tionate remission or refund of the rate on holdings. We have not got however, a rate on holdings in this Bill. The rate is a personal tax to b imposed on owners and occupiers of buildings according to circumstances and property just as the personal tax is in the Municipal Act. Moreover, th assessment is to be made in the beginning of the year, and the amendment proposed fails to meet that difficulty. It will be always open to an owner wh considers that he is hardly treated to apply for a revision of the assessment under clause 40 (now clause 39). That clause sufficiently provides for the case of unoccupied buildings as the union board should be trusted to take into account the fact that a building is unoccupied and that the owner may lose rent in consequence. It is unnecessary to have an amendment like that proposed, which would only introduce an undesirable complication in pro cedure ; and on this account I must oppose the amendment."

The motion was then put and lost.

Babu Akhil Chandra Datta; Sir Henry Wheeler; Rai M. C. Mitra Bahadur.

AMENDMENT No. 110.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "not less than two-thirds" in line 5 of sub-clause (*b*) of clause 38 (now clause 37) the words "a majority" be substituted.

He said :—

"My Lord, I must admit that this is a point on which there will be a large difference of opinion. It is only a question of expediency. The view that some people take is this : if the majority be a two-thirds majority, in that case it will be very difficult practically to pass a resolution at the meeting of the union board about taxation, and it cannot be said that this is an apprehension which is not founded on facts. If so, then this being a question of local taxation and in the absence of any statutory local contribution by the Government and in view of the limited resources of the District Board and if it is difficult to pass any resolution about taxation at a meeting, then the whole Act will be a dead-letter and inoperative. That is a prospect of things which we cannot contemplate with anything like satisfaction. Therefore, my Lord, I proposed that instead of two-thirds majority it should be a bare majority. Of course, as I have said, there is a difference of opinion, as it can be said by the other side that the matter is of such supreme importance that the resolution should not be passed light-heartedly and unless two-thirds of the members are present that very important step should not be taken. There are two sides of the question, and taking both the sides into consideration I do think that in the interest of the successful operation of this Act for which we are all keen and anxious that steps should be taken which will make the taxation easier. It is from this point of view, my Lord, that I propose that two-thirds may be substituted by a bare majority."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, as the Hon'ble Member has said, this amendment raises an arguable point. Under the scheme of the Bill the obligation which is laid upon the union board is that it *must* pay for its chaukidars and dafadars and their equipment, but it *may* launch out into other municipal improvements if, by a majority of two-thirds of the total number of the members of the Board at a specially convened meeting, it thinks fit to do so. We framed the provision in that way, requiring a majority of two-thirds, on the analogy of section 118C(1) of the Local Self-Government Act, which, in the case of a union committee, requires a two-thirds majority before the optional powers of taxation can be utilised. The Bill as framed, therefore, makes this resort to taxation over and above what is required by the union boards to pay the chaukidars, etc., a step only to be undertaken after careful consideration. They must call a special meeting and carry two-thirds of the villagers with them. The amendment suggests that it should only be necessary to carry a majority, which would render easier the imposition of further taxation : but in framing the Bill we thought that, as the working of these bodies was new, it might be well to adhere to the precedent of the Local Self-Government Act. But if the sense of the Council prefers to take a more liberal view, I, personally, should have no objection."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I beg to oppose the amendment for various reasons. I need not amplify my reasons, but I submit that there is a difference of opinion between the Hon'ble Mover of the amendment and others. I think it will be a retrograde movement if the proposition put forward by the Hon'ble Member is accepted."

Babu Akhil Chandra Datta; The President; Maulvi Abul Kasem.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have already said that this is a very controversial matte and things may be said on both sides. In view of the opposition made nc only by Government but also by some of the non-official members I shoul not press it and with Your Excellency's permission I would withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 111.

The following motion stood in the name of the **Hon'ble Babu Akhi Chandra Datta:**—

That after clause 38 (now clause 37) the following be inserted, namely :—

"38A. One-fourth of the total amount raised by taxation under sec tion 38 shall be raised from amongst the zamindars whethe resident or not. In *Khas mahal* areas the Government is to b considered as zamindar.

38B. The income derived from pounds within the union shall b credited to the union fund."

He said : —

"My Lord, this is an amendment in which I know I shall be opposed by some of the non-official members, and knowing that there is not the least chance of the amendment being carried and also feeling that this is a very controversial matter and also knowing that the verdict of the District Administration Committee is against it, I think it will not serve any useful purpose to press it. I would, therefore, with Your Excellency's permission, withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENTS Nos. 112 to 115.

The President said :—

"The next four amendments deal with assessments of one person but they seek to vary them by different amounts. I am prepared to put each amendment separately, but it would not be in order to have four separate discussions on the four amendments. Hon'ble Members who take interest in this matter will kindly speak on the first motion."

AMENDMENT No. 112.

The Hon'ble Maulvi Abul Kasem moved that for the words "eighty-four" in the proviso to sub-clause (*1*) of clause 39 (now clause 38) the words "ninety-six" be substituted.

He said :—

"My Lord, on this point there are four amendments of which notice has been given. The Bill provides for Rs. 84 as the maximum amount of tax to

be realized from any one individual. I suggest Rs. 96, *i.e.*, an advance of Re. 1 a month on the individual contribution to the fund. My hon'ble friend Kumar Shib Shekareswar Ray, the zealous and the most ardent of the territorial magnates in this Council, would like to reduce it by one rupee reducing the maximum to Rs. 72. The Hon'ble Babu Ambika Charan Mazumdar, a distinguished leader of public opinion in this Presidency, would reduce it still more and make it Rs. 60, *i.e.*, a monthly contribution of Rs. 5, and the Hon'ble Rai Radha Charan Pal Bahadur wants to make it Rs. 48. In these circumstances, I think the safest course would be to leave the matter as it is in the Bill, and the maximum not reduced.

My Lord, my object in increasing the maximum amount of taxation is that according to the progress of the Bill the union board will have to make a budget of its expenses and make the assessment according to that budget, and if you fix the maximum taxation upon any particular individual at Rs. 84 the result will be that the balance will have to be realized from the poorer members of the community residing in that union. My object is that the burden should fall on the wealthier class who are well able to bear it and the poorer people should be exempted as much as possible. It may be said that there will be a tendency to over-assess the rich men of the union, but there I can assure this House and Your Excellency's Government that there will be absolutely no chance of over-assessment of the rich men. Unlike the municipal towns the rich men of union will be men of very great influence and no union board, whether it is composed of three representatives or more, will ever venture to over-assess the zemindars or the rich money-lenders. So the question is if you fix the maximum at only Rs. 7 a month the result will be that the poorer men in the union will have to pay more than they ought to pay. I know that according to the present Act Rs. 12 is the maximum as the chaukidari tax, but in answer to that I can say that was a very low maximum fixed in the Chaukidari Act. I cannot say why this was fixed at so low a figure. The result is that in chaukidari unions the poorer men have to pay proportionately much higher than the richer people. Rupees 8 a month as the maximum is not very high, and neither will it be the case that the maximum amount of taxation will be realized from each individual, but those who are sufficiently wealthy ought to pay according to their means. The Act as it stands, my Lord, says that the occupiers and owners of the building will have to pay these taxes and as the Hon'ble Sir Henry Wheeler has said only the owners and occupiers whether they do other business or not will be the only persons to be assessed. It is questionable whether children, adult sons, or nephews living with their parents will be considered occupiers of these buildings or not, because under the Municipal Act occupiers are those who have a legal right to occupation and those who live by sufferance such as widows or children. But in this case the only person who will pay the tax is the owner, that is head of the family, though his other adult sons may be rich and may be doing successful business and getting a large income. Therefore my suggestion is that Rs. 84 should be changed to Rs. 96. It is a surprise to me that some of those who are very keen on self-government have made an attempt to reduce it to Rs. 84 that has been fixed by the Bill. But I hope the better sense of the Council will prevail and they will make wealthier men pay more who are able to pay than the poorer men."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"My Lord, under the present Local Self-Government Act the maximum limit of taxation is Rs. 60, *i.e.*, Rs. 5 a month. Again under the Chaukidari Act the maximum limit is Rs. 12 and that comes

up to Rs. 72 per annum. I do not therefore see any reason why the maximum limit of taxation is going to be raised. We all know that though there is a provision of Rs. 60 as the maximum under the Local Self-Government Act the taxation now raised from the union committees is about ¼ of the chaukidari tax. My hon'ble friend, Maulvi Abul Kasem, wants to make it Rs. 96. He has not given any definite grounds for raising the amount, while I have something definite to stand upon when I suggest that it should be reduced to Rs. 72."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, here we have to deal with taxation which will have to be borne by the rural population. I take the case of municipalities where the people are much better off, more enlightened and more educated and at the same time earning more than the village people. There the maximum is Rs. 84, and I ask this Council—are we going to fix the maximum for the village population at the same rate at which the urban population are taxed? My friend, the Hon'ble Maulvi Abul Kasem, has gone off at a tangent from us and he wants to go higher up than Rs. 84, and I hope and trust that many people of the generous disposition of my friend will go to the villages and try to relieve their difficulties and pay for the conservancy of the villages. My Lord, taxes are going up in other directions and we must take into account the condition and the position of the people in the villages. It is said that there are rich people in the villages and they ought to pay more. But are we to forget that those rich people who have got a residence in the villages are the people who live in towns, carry on business there, and they pay taxation also with respect to their business in municipalities and other towns? Are we going to say that because they have got the fault of having some little money, they must be ground down by taxation to any amount for merely having a residence in the village? Sir, we have in this Bill provided that a man not merely residing but having a residence in the village will be a voter and will be liable to taxation. But the very same man actually works and earns money in a town where he has to pay municipal taxes and also license fees. I think therefore that it is a very bad policy and mistaken generosity just to say that these people ought to be ground down and the taxes ought to go higher up than Rs. 84. Although I have said that it should be Rs. 60, I am inclined to agree with the gentleman who will be called next after me and will move that it should be reduced to Rs. 48."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, what struck me was this : that as under the Bengal Municipal Act the second clause has the maximum of Rs. 84, I thought that as a matter of corollary the taxation in these miniature municipal areas should be half that amount. I have no desire to give relief to the rich people—I do not know how many people there are in the outlying villages, and as far as my knowledge goes they are within the municipal areas. I think that this taxation will press very heavily on the poorer classes. I have nothing further to say on this matter."

The Hon'ble Sir Henry Wheeler said :—

"In the Bill as first introduced there was no maximum taxation limit at all, and to that extent it followed the recommendation of the District Administration Committee, but that Committee anticipated that there would be opposition to the omission, and when we were examining the Bill that anticipation was found to be realized. We discovered that various people advocated the retention of limits. The Select Committee thought that

if would be as well to give way to that opinion, and decided to insert a limit. Then the question arose what should be the limit, as all these limits must to some extent be somewhat arbitrary, and we based our figure on the following calculations. Under the Chaukidari Act the maximum limit is Rs. 12 a year; under the Local Self-Government Act of 1885 the maximum limit for a union committee is Rs. 60 a year, making a total of Rs. 72 a year. But for some time past the fact has been recognized that the 12-rupee limit under the Chaukidari Act is too low, and it was the recommendation of the District Administration Committee that it should be put at Rs. 24. So, substituting Rs. 24 for Rs. 12, and adding Rs. 60 to it, we come to the figure of Rs. 84, which also happened to be the limit of the Municipal Act, and that figure we have accordingly put in the Bill. In my opinion this figure is quite as good as any other, and preferable to those alternatives which have been suggested. Rupees 96 may be too high and Rs. 48 is certainly too low. As between Rs. 60 and Rs. 72 there is not much difference, but I have explained to the Council the calculations we made and why we took the figure Rs. 84, to which I would adhere. Moreover, if we are to be guided by the experience of chaukidari assessments in the past, and for the matter of that of union assessments also, the whole question of a maximum is rather of theoretical interest only as it is difficult to induce the average assessing authority to go up to anywhere near it."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I cannot support this amendment. The clause does not oblige the union boards to levy the maximum rate from any person residing within its area. That being so, I do not see why there should be a complaint about the maximum amount fixed in the Bill as being too high or as likely to be oppressive in its operation. Without going so far as fixing the maximum at Rs. 96 as proposed by the Hon'ble Maulvi Abul Kasem I think the maximum may remain as it is in the Bill. Considering that the purchasing power of the rupee has gone down considerably since the Bengal Municipal Act was passed, I think the union board might still have sufficient funds at its disposal to defray the cost of the works entrusted to them."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am sorry I have not been able to make myself understood by the Hon'ble Members on this side of the House. I have been told that the maximum fixed by the Municipal Act is Rs. 84, but I would draw attention to the fact that in municipalities there are certain rates of assessment and out of the money realized from these rates and taxes they make their budget allotments. But in the case of union boards it is quite otherwise. Here they have got some definite charges to meet, for instance, the salaries of chaukidars, etc., and they require a certain amount for that and then they proceed to levy the union rate on different members of the community. Therefore I thought it was necessary that the maximum should be Rs. 96. The Hon'ble Rai Radha Charan Pal Bahadur has said that there are not many rich men in villages. That is true, but if there are any, I want them to be assessed at the maximum rate of Rs. 96. The Hon'ble Babu Ambika Charan Mazumdar has said that those who carry on their business in the union or those do not live within the union although they have got residential house there, should not be assessed too heavily. But I think that those persons should be made to contribute towards the improvement of the unions where they carry on their business or where their residential houses are situated. One of the main causes of the deterioration of our villages is that rich men like to congregate in town leaving the villages neglected. This Bill is intended to reinstate the villages to their former prosperous condition and those men who make their money in the villages or rich men having their residential

houses in the villages ought to make their contributions towards the improvements of the villages. The Hon'ble Kumar Shib Shekhareswar Ray has pointed out that taking the Chaukidari Act and the Local Self-Government Act together the maximum assessment comes up to 72. That is true, but we are not going upon precedents in this Bill. We intend by this Bill to improve the condition of the villages and not to let things remain as they are. My suggestion is that the maximum should be fixed at Rs. 96. But as the Hon'ble Member in Charge has not thought fit to accept it, I think there is no chance of its being accepted by the Council. Yet I would be failing in my duty as a representative of rural constituencies not to press this amendment. and I therefore press it to a vote."

The motion was about to be put when **the Hon'ble Kumar Shib Shekhareswar Ray** said :—

"My Lord, we might take the amendments backwards."

The President said :—

"I do not quite understand what the Hon'ble Member means."

The Hon'ble Kumar Shib Shekhareswar Ray said :—

"We might take the last amendment first and so on."

The President said :—

"It does not make any difference. Therefore I propose to take them in the order in which they appear on the agenda paper."

Motions Nos. 112, 113, 114 and 115 were then put one by one and lost.

Motions Nos. 113—115 were as follows :—

The Hon'ble Kumar Shib Shekhareswar Ray to move that for the words "eighty-four" in the proviso to sub-clause (*1*) of clause.39 (now clause 38) the words "seventy-two" be substituted.

The Hon'ble Babu Ambika Charan Mazumdar to move that for the words "eighty-four" in the proviso to sub-clause (*1*) of clause 39 (now clause 38) the word "sixty" be substituted.

The Hon'ble Rai Radha Charan Pal Bahadur to move that for the words "eighty-four" in the proviso to sub-clause (*1*) of clause 39 (now clause 38) the words "forty-eight" be substituted.

AMENDMENT No. 116.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "district magistrate" in the first line of clause 41 (now clause 40) the words "district board" be substituted.

He said :—

"My Lord, the corresponding section in the Chaukidari Act is section 20. That section gives power to the District Magistrate to revise the assessment of the chaukidari union. But the union board stands on quite a different footing. The chaukidari functions of the union board are certainly not as

important as its judicial, executive or municipal functions, and so necessarily the chaukidari assessment will be much smaller than the other assessments. And, therefore, it is only proper that the power of revising this assessment should be entrusted to the district board instead of the District Magistrate."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this is another of a series of amendments by which the Hon'ble Babu Akhil Chandra Datta has sought to replace the authority of the District Magistrate by that of the district board in matters appertaining to the supervision over the union boards, specially in connection with chaukidars. In view of the fact that his other amendments have been negatived, I scarcely think that he is well advised to press this point again. He admits that the clause follows a precedent of the Chaukidari Act, but apparently argues that we should depart from it now that the amalgamated chaukidari and municipal assessment of taxation may reach a higher figure. But I cannot see how that fact alters the fundamental conditions under which these revisions are conducted. These assessments, even if they are of a higher figure will, as a rule, be individually small. They will affect a large number of small men. We do not wish to encourage a regular revisionary system of appeal against assessment. We had better look to the conditions under which these revisions have been made in the past, and they are briefly these. Various officers of Governments as the Hon'ble Member knows,—the District Magistrate, the sub-divisional officers and others—go round the district visiting and talking to the villagers, who are thus able to bring to their attention cases in which they allege the assessments to be grossly unfair. The officer can then enquire into the matter on the spot and see that justice is done. It is a simple and expeditious procedure, and in the case of the old chaukidari assessments has often been followed by any of us who have had experience of district administration. We have all done this work repeatedly while we were on tour. It meets the requirements of the case, and it is a far better machinery than to ask a man assessed to a few annas a month to bring a revisionary appeal before an authority like the district board, apart from the fact that the latter is not in itself a suitable appellate authority in a matter of this kind."

The Hon'ble Babu Akhil Chandra Datta said :—

"It appears that in practice revision will be really made by circle officers. It is precisely that to which we object. If I were satisfied that the revision will be made by the District Magistrate himself, I for one would not object to it. What we are afraid of is the unnecessary interference by the circle officers. That makes my case all the stronger. My attention is drawn to the fact that the provision about the delegation of power to the circle officers in this respect has now been omitted. It is true, but at the same time the District Magistrate must necessarily depend on the report of the circle officers or some such other subordinate officers. Therefore the mere fact that the provision has been omitted does not improve the situation. In any case, as in most matters the union board will work under the supervision of the district and local boards it is only proper that in this particular matter also the revisionary power ought to lie with the district board."

The motion was then put and lost.

AMENDMENT No. 117.

The following motion was, by leave of the President, withdrawn :—

If motion No. 116 be carried the Hon'ble Babu Akhil Chandra Datta to move that for the word "he" in line 5 of clause 41 (now clause 40) the word "they" be substituted.

Babu K. M. Chaudhuri; Sir Henry Wheeler; The President; Rai M. C. Mitter Bahadur; Rai R. C. Pal Bahadur.

AMENDMENT No. 118.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the words "may make" in line 1 of clause 46 (now clause 45) the words "shall contribute annually" be substituted.

He said :—

"My Lord, I think that the district board being the recipient of the taxes raised within the locality and charged with the sanitation and other improvements contemplated by this Bill should be bound to contribute to the union fund, and instead of making it discretionary on the district board want to make it obligatory on them to contribute to the union board grants for carrying out the works entrusted to them. In these local areas the taxation will be very oppressive and it is but fair that the district board should pay something to the union boards before they ask them to cover their deficit by special taxation specially as the district board now get contributions from Government from road-cess and public works-cess. Therefore I propose that instead of leaving it to the discretion of the district boards the grant should be made obligatory on them."

The Hon'ble Sir Henry Wheeler said :—

"Sir, there are certain other amendments of a like character."

The President said :—

"Yes, items 118 to 122 are identical so that Hon'ble Members who have given notice of these amendments can speak on the motion which is now before the Council if they wish to."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have got a similar motion, and my submission is that it should be made obligatory upon the district boards to contribute a certain amount. As far as the clause goes, the district boards may or may not contribute anything. My submission, on the other hand, is that as the union boards will be in a state of infancy at the start, it is necessary that there should be an obligation on the part of the district board to contribute a substantive amount."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have also got a similar motion. Clause 46 (now clause 45) is a very wholesome provision and if the district boards make a grant they will attach certain conditions to it as to how it should be spent. My object is that the district boards have got under clauses 12, 15, 29 (now clause 27), 40 (now clause 39), 60 (now clause 55), 61 (now clause 56), and 63 (now clause 58) great powers over these union boards—power of supervision, power of removal of members and so forth, and if the union boards fail to do their work they may be superseded. In many other ways they have been made subordinate to district boards. And if the union board thus becomes the foster child of a district board I think it is but right that a foster father should do something towards the feeding of a foster child. Therefore, I think, that it should be laid down that some contribution should be made by the district boards for carrying out the work imposed by them on the union board. This matter was also considered by the Decentralization Commission and they also recommended in paragraph 764 of their report that there should be liberal grant from

the district boards. Otherwise if everything is left to depend upon taxation, the interest of the people in their own affairs would become lax. I do not know but I think from the trend of the discussion on the Bill that this motion will be acceptable to the Council. I think it is reasonable to expect that there should be a contribution by the district board to the union board and I have no objection to certain conditions being attached to such grants.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, there are three possible sources of finance so as far the union boards are concerned—first, the Government contribution, secondly, contributions by district boards, and thirdly, local taxation. As regards the Government contributions this Council has already decided that they will not be compulsory and even if the contribution by district board is not made compulsory then in some cases what may happen is this : in any particular year—a very bad year—the Government may find it inconvenient to make any contributions. Then so far as the district boards are concerned it may so happen that they cannot also part with the money and may direct the union boards to complete their works with their own money. In that case union boards will have to rely entirely on local taxation and we know that local taxation cannot be raised to such an extent as to enable them to meet all the expenses of the various works entrusted to the union boards. We know that the cost for dafadars and chaukidars would amount to about 60 lakhs of rupees a year, this is the amount of road cess and public works cess taken together, so that the two cesses together are just barely enough to meet the cost of dafadars and chaukidars, and it would be remembered that the question of increasing the chaukidars' pay is a pressing one. So that with the road cess and public works cess the union board can get on for about three quarters of the year so far as the cost of chaukidars is concerned. Therefore unless some suitable provision is made for financing the union board the whole Act will be practically a dead letter. The public works cess is now made over by the Government to the district boards and this lays an additional obligation upon the district boards to make a grant to the union board. In fact the District Administration Committee made a positive recommendation that the public works cess should be made over to the district board upon a condition precedent to their making over the bulk of the money to the union boards which were proposed to be instituted at the time. Therefore the district boards cannot complain if that obligation be now made a statutory one. In fact if the district boards do not make any contribution as I have submitted the whole thing would be a dead letter. So it will not be wise to keep things in this unsatisfactory condition and now that the Government contribution will not be an obligatory one it is but right to have a statutory obligation on the part of the district boards. It ought not to be allowed to remain permissive."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, we now have a batch of amendments which are very similar in type, and which involve one common issue of principle and varying issues of detail. Under the Bill, as it stands, we merely say that the district board *may* make grants-in-aid to the union boards. But the principle which is common to these amendments is that these grants-in-aid should be made obligatory upon the district boards. The details vary as to the amount of the contribution which the district board will have to make ; some would leave it uncertain ; some would leave it to be laid down by rules ; some would merely say a suitable amount ; and some would say a quarter, and others a half, of the road and public works cess collected within the area of the union. But we are now concerned with the question of principle—whether these grants should be made obligatory or not. It is perfectly true that the District

Administration Committee contemplated that the public works cess would be used in order to give financial help to these union boards. But I think it is equally clear, on reading their report, that they did not contemplate laying down any rigid system. In paragraph 139, after discussing a scheme of possible financing of the union boards which Mr. Birley laid before them for the district of Dacca, they concluded that it was impossible to lay down any hard-and-fast rule and that the case of each district would have to be decided on its own merits. So, I take it, that they were opposed to adopting any rigid system, although they hoped that, in fact, district boards would come to the financial help of union boards, and as a matter of practice they do so.

Taking the last report of 1917-18 we find a long column showing the contributions received by union committees from district boards. Mr. O'Malley tells me that the reason of one or two blanks is that the union committee in those cases had not been constituted. In the aggregate, taking the year 1917-18. out of a total income of Rs. 2 lakhs and 36 thousand enjoyed by union committees, Rs. 1,13,000 was given by district boards. So, therefore, district boards do already contribute. But it may be said : 'Well, if they do that at present, what is your objection to making a mandatory provision ?' My objection is one of principle. At one time Government used far more frequently than now to issue definite instructions to district boards and municipalities as to how they should spend their money. We used to say that such and such a percentage must be spent on primary education, such and such a percentage on water-supply and so on. When I went round as Secretary to the Decentralization Commission. and we enquired into the working of local self-government, it was the common complaint of Indian witnesses, if it was suggested in any way that local self-government had not so far quite fulfilled the expectations of its creators, that local self-government had never had a fair chance, because from the beginning Government had kept local bodies in leading strings and tied them down by mandatory orders as to what they should do here and what they should do there. These were constant complaints urged before us throughout India. Now, we come to a suggestion to go even beyond an executive order and to impose a statutory obligation. But the mandatory executive order has been very much discarded in recent years, and even when the public works cess was made over to district boards, the instructions issued to them were far more advisory than mandatory ; and I maintain that it is preferable in a matter of this kind to trust to the good sense of the district board. We have initiated a policy of deofficialising the district board, and it is a policy which will be continued, and to which, I believe, an extension will be given very shortly. If we are going to deofficialise the district board, is it wise to saddle it at the same time with statutory directions as to how it should apply its funds in this matter of union boards ? In the past, district boards have given funds to these committees—and I trust that in future they will continue to do so—and I submit it is preferable that we should rely on their discretion, instead of trying to hamper them by a legislative provision of the kind proposed in the amendment."

The Hon'ble Babu Mahendra Nath Ray said :—

"My Lord, these five amendments and ten which follow are intended, as has been pointed out, to impose statutory obligations on district boards to make suitable contributions to the union boards for the costs of works of public utility which the union boards are empowered under the Bill to execute. It will be clear from the provisions embodied in Chapter III of the Bill that amongst the duties and powers of the union boards defined in this part, the union boards are empowered to employ an establishment for the collection of the union rates. They are empowered to carry out works of public utility in respect of sanitation, conservancy and drainage, for example, public drains, burning-ghât and burial-grounds. They are empowered to construct and maintain water-works including the construction of bridges and

repairs of tanks, wells, streams and water-courses ; they are empowered to construct, maintain and repair roads, bridges and water-courses and they are empowered to make provision for the lighting of roads ; and lastly, they are empowered to establish primary schools and dispensaries. This is a pretty long catalogue, and one would naturally inquire whether adequate funds are proposed to be placed at the disposal of the union boards to enable them to carry out these multifarious works. We must remember that in connection with some of these works, for instance, public drains, burning-ghâts and burial-grounds and other works of public utility in connection with sanitation, drainage and the construction and maintenance of water-courses the district boards have got the power to direct the union boards to carry out these works. It is not that the union boards of their own motion can undertake these works, but in respect of the particular works to which I have just invited the attention of this Council the district boards are given the power to direct the union boards to carry out these works. As to the funds placed at their disposal we see that clause 38 (now clause 37) of the Bill provides for the imposition of union rates under certain conditions of an amount sufficient to meet the cost of such works as I have just stated. The contribution by Local Government, where such contribution is forthcoming, is not intended, as far as I understand clause 38 (now clause 37) of the Bill, to cover any part of the cost of such works. It is intended for the part payment of the salary of chaukidars and dafadars and of the establishment employed for the purpose. So that with regard to this long array of works of public utility the union boards are left on their sole resources over and above a few items to which I shall presently refer to their income from the union rate. The clause which defines union fund certainly contemplates in addition to the union rates certain items of fees and costs which are recoverable under the Bill and which are placed at the disposal of the union boards. But clause 46 (now clause 45) which relates to any contribution that the district board may make towards the cost of such works of public utility as has been pointed out, merely leaves the discretion with the district boards if they choose to make a provision for the purpose. I am afraid, my Lord, that if no statutory obligation is imposed upon district boards under this head, this long array of useful and important works of public utility will not be accomplished and the provisions made in this Bill will be more or less elusive. Sir Henry Wheeler has asked us to look at the past : there were union committees in existence for a number of years and out of the two lakhs of rupees which the union committees all over the province had spent, I should say a very moderate sum, the district boards have contributed nearly one-half ; the district boards of this province altogether contributed nearly a lakh. We and those of us who have experience of the working of the district boards and union committees in the mufassal all know what sort of work the union committees now do. They do very petty works—they clear jungles and tanks, but I am not aware of any union committee which has so far been established which has undertaken even a decent proportion of the ambitious scheme which this Bill sets forth. Therefore to refer to the past would not be of much importance. The past does not contain a record of what this Bill expects the union boards to do.

Then it has been said that the people in this country do not relish executive orders—orders proceeding from the executive to force the hands of the district boards and other local authorities to spend money on certain purposes. That is perfectly true, and I fully agree that the less executive interference with the works of the district boards the better. But it is one thing to deprecate executive interference with the works of the district boards and the application of their funds and it is another thing to impose a statutory duty upon district boards—a duty which must be imposed if the scheme of this present Bill is to be realised in practice at all. I was for a long time a Vice-Chairman of a District Board and I have been a member for over a quarter

of a century. I cannot ignore our unwillingness to place at the disposal of these newly-fledged bodies a decent sum of money over which we lose direct control. It is a weakness which the members of district boards enjoy with other human beings and it is one of the ordinary frailties of human nature. If, therefore, it is proposed by this piece of legislation to confer upon union boards real powers of executing and carrying out works of public utility which will require considerable expenditure, I honestly believe that unless some such statutory obligation is imposed upon district boards, all this scheme for the improvement of the village by the people of the village will prove elusive. It may be known to Sir Henry Wheeler that I am perhaps the only member of the Select Committee who had the misfortune to differ from the rest on this point and practically on this point alone and I therefore feel very strongly on this matter and I support the amendment which has been moved."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, the question has been discussed threadbare, so I shall confine myself only to one observation. The question is whether the district board should be required by statute to contribute something towards the expenses of the union boards. Let us consider for a moment what is the source of income of the district boards. Whence does their income come? It is the road cess and public works cess paid by the villagers which constitute the district fund. Is it not proper for the district board to make over a portion of the money which they receive from the villagers in order to help them in the improvement of the villages? The district board has no other source of income—I mean the main source—and I think it is only just and proper that the district board should contribute a certain sum in order to help the union boards in the matter of rural sanitation and rural improvements. It is their money which the district board receives and they ought to contribute to them. The Hon'ble Sir Henry Wheeler has said that he opposes this on certain principles. The principle which he has enunciated I have not been able fully to grasp, but the only principle which I can find underlying this provision in the Bill is this: that the Government, the supreme head and authority, is unable to commit itself to any grant, and if it is unable to commit itself to a grant, I do not think it would be decent for Government to fixing an obligation upon the district board; that is the only principle which seems to me to be underlying this measure, but however we have passed that stage, namely, the obligation of Government. Here the district board represents the district and here is a small body, namely, the union board which is going to be constituted under it, and my friend to the right has pointed out the onerous character of the duty imposed upon these petty boards, and if Government will grant nothing, and if the district board will grant nothing, then all that I can say is that this measure had better be dropped."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, there is only one point on which I should like to make a few observations. The Hon'ble Sir Henry Wheeler has observed that the Government are gradually deofficialising the district boards and that people resent interference by executive orders. It is not an executive order but it is a statutory obligation that we seek to impose on district boards. Further, my Lord, what we want to bring out is this: that these union boards are made subordinate to the district boards to carry out their mandate, according to the provisions of the Bill, and they will pass orders upon them and direct them to carry out their orders but won't give them any funds; it will not be obligatory upon them to give any funds except those which they will receive from the residents of the union. Is this equitable and fair, my Lord? I appeal to the sense of justice of Government, as I know it is useless to expect this motion to be carried in this House, but I appeal to the Hon'ble Members here to consider whether it is fair to pass orders on the union boards

directing them to do this and that and that if they do not do that they may be superseded and not to place any funds at their disposal."

The Hon'ble Mr. O'Malley said :—

"My Lord, I should like to refer to one or two statements which have been made by the Hon'ble Babu Mahendra Nath Ray in connection with referring to the contributions now made by district boards to union committees. I think he has not perhaps caught one of the figures quoted by the Hon'ble Sir Henry Wheeler. The contribution made by the district boards in 1917-18 was not under a lakh ; the actual figure is Rs. 1,13,000. The expenditure by all the union committees during the year was Rs. 1,87,000 and I do not think that it will require any elaborate calculation to deduce the fact that the district boards contributed a sum approaching two-thirds of the total expenditure during the year. That being so, I submit that district boards at present realise their obligations to the union committees.

Another point which I would like to mention is that the more the union committees develop, the more work they do, the greater are their activities and the less they are dependent on the district boards. In this connection I may mention that the Hon'ble Babu Mahendra Nath Ray is somewhat under a misapprehension in thinking that all union committees carry out only petty village works. He is not perhaps aware that several union committees have been established at sub-divisional headquarters and in some cases have at least an income which corresponds to that of smaller municipalities. To quote a few instances, which occur to me, there is the union committee of Ramjur Hat in the district of Birbhum ; there is the union committee of Contai, a sub-divisional headquarters in the district of Midnapur ; there is the union committee of Bagerhat in the district of Khulna ; there is the union committee of Manikganj in the district of Dacca and there is also another at Munshiganj in the same district. Some of them have quite a considerable income of about Rs. 7,000 a year.

Another matter to which I should like to invite the attention of the Council is that clause 46 (now clause 45) should be read with clause 35 (now clause 33) of the Bill, in order that its scope may be understood. Clause 35 (now claue 33) lays down in effect that when a district board makes over to a union board the management of any institution or the execution of any work or duty, it must assign to the union board the money necessary for the purpose, and the union board must consent to the transfer. A district board therefore cannot transfer any institution, work or duty under this clause to a union board unless it provides the necessary funds."

A division was then taken with the following result :—

Ayes—15.

The Hon'ble Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Sir Nilratan Sarkar, Kt.
" " Mr. Aminur Rahaman
" " Mr. Provash Chunder Mitter, C.I.E.
" " Kumar Shib Shekhareswar Ray.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur
" " Maulvi Abul Kasem.
" " Khan Sahib Aman Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—21.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr. F. C. French. C.S.I.
" " Mr J. Donald, C.I.E.
" " Mr. L. S. S O'Malley, C.I.E.
" " Mr. H. P. Duval.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Colonel J. K. Close, M.D., I.M.S.
" " Mr. W. C. Wordsworth.
" " Mr. C. F. Payne.
" " Mr. S. G. Hart.
" " Khan Bahadur Maulvi Aminul Islam.
" " Mr. R. V. Mansell, O.B.E.
" " Mr. W. H. H. Arden-Wood, C.I.E
" " Mr. L. V. N. Meares.
" " Mr. W. H. Phelps.
" " Mr. G. A. Bayley.

The following members were absent :—

The Hon'ble the Nawab Bahadur of Murshidabad.
" " Raja Hrishikesh Laha, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. W. E. Crum, O.B.E.
" " Mr. H. R. A. Irwin, C.I.E.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Babu Surendra Nath Ray.
" " Mr. K. B. Dutt.

The Ayes being 15 and the Noes 21, the motion was lost.

AMENDMENTS Nos. 119—127.

The following amendments were deemed to be withdrawn :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that for the word "may" in line 1 of clause 46 (now clause 45) the word "shall" be substituted.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur to move that for the word "may" in line 1 of clause 46 (now clause 45) the word "shall" be substituted.

The Hon'ble Rai Radha Charan Pal Bahadur to move that for the word "may" in line 1 of clause 46 (now clause 45) the word "shall" be substituted.

The Hon'ble Babu Akhil Chandra Datta to move that for the word "may" in line 1 of clause 46 (now clause 45) the word "shall" be substituted.

The Hon'ble Babu Surendra Nath Ray to move that in clause 46 (now clause 45)—

(*a*) for the words "may" in line 1 the word "shall" be substituted ;

(*b*) for the words "such grants-in-aid from the district fund, as they may think fit" in lines 2 and 3 the words "as they will be liable to pay under rules made under section 11" be substituted ; and

(*c*) the words "and may attach to such grants any conditions that may appear to the district board to be desirable" in lines 4, 5 and 6, be omitted.

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the words "such grants-in-aid from the district fund, as they may think fit" in lines 2 and 3 of clause 46 (now clause 45) the words "a sum not less than one-fourth of the road and public works cesses realized within the area under the jurisdiction of the union board" be substituted.

The Hon'ble Maulvi Abul Kasem to move that for the words "such grants-in-aid from the district fund, as they may think fit" in lines 2 and 3 of clause 46 (now clause 45) the words "a sum approximately one-fourth of the road and public works cesses realised within the area under the jurisdiction of the union board" be substituted.

The Hon'ble Kumar Shib Shekhareswar Ray to move that the following be added to clause 46 (now clause 45), namely :—

"Provided that the grant-in-aid shall in no case be less than half the amount of road and public works cess payable by the cultivating raiyats for lands comprised within the area of the union board; and if there be any dispute between the district board and the union board regarding the sum that will approximately represent the amount of such cess, the matter shall be referred to the Collector of the district, whose decision shall be final; and a decision, once arrived at, regarding this amount shall remain in force till the next revaluation of the aforesaid area under the Cess Act, 1880."

The Hon'ble Babu Akhil Chandra Datta to move that after the words "think fit" in line 3 of clause 46 (now clause 45) the words "the amount of such grants being not less than half of the land cesses levied within the union" be inserted.

The President said :—

"The next item is amendment No. 128 which is not being moved. No. 129 is consequential on No. 118 which has fallen through, and No. 130 is also consequential. Therefore the next amendment which is in order is No. 131. I now call upon the Hon'ble Babu Ambika Charan Mazumdar to move No. 131."

Motions Nos. 128 to 130 which were deemed to be withdrawn were as follows :—

AMENDMENTS Nos. 128—130.

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that for clause 46 (now clause 45) the following be substituted, namely :—

"46. The district board shall make over to the union board the whole of the sums realized as road-cess from the villages in the union, and shall make such further grants from the district fund as may be necessary to enable the union board to carry out the purposes of this Act, and may attach to such grants any conditions that may appear to the district board to be desirable."

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the word "grants" in line 5 of clause 46 (now clause 45) the word "contribution" be substituted.

If motion No. 126 be carried, the Hon'ble Kumar Shib Shekhareswar Ray to move that after the proviso to clause 46 the following be added, namely :—

"Provided that the conditions referred to in this section may be attached to such amount only as are in excess of the minimum grant which the district board must make to the union board under this section."

AMENDMENT No. 131.

The Hon'ble Babu Ambika Charan Mazumdar moved that at the end of clause 46 (now clause 45) the following be added, namely :—

"and the union board may receive any donation or contribution from any private person for any work within the purposes of this Act."

He said :—

"This refers to clause 46 (now clause 45) of the Bill. I introduced this amendment with a definite object. The union boards will be co-operative bodies, and not only their rights and privileges but also their income and expenditure should be provided by the statute. They cannot have any source of income which the law would not allow them to have, and it is just possible that the union boards will have some help from generous spirited individuals who may make grants either for excavating tanks or making drains or any other useful work for the benefit of the union population, and it is necessary to authorise these boards to receive these grants. I know reference will be made to clause 47 (now clause 46) which says that 'all sums realised under section 42 and all sums realised as fines, fees, etc., or cost under this Act, other than fines imposed under section 25 and all other receipts of the union bench or union court, shall be paid into a fund which shall be called the union fund.' I know that reference will be made to the expression 'other receipts of the union board.' Now, my Lord, that would evidently mean, in the view of a lawyer, other receipts derivable under the Act by the union board, and not any receipts outside the Act. It may be, Sir, that the union board may plant trees by the side of the road, they may sell the fruits and with the sale-proceeds of that as well as of the trees that may be cut down and sold, the union board may rear fish in a tank excavated by them and sell them. All these are the receipts which you can bring in under clause 47 (now clause 46). It would mean 'other receipts of the union board,' that is to say, receipts which might naturally come to the union board under the circumstances laid down by this Bill. It would not, in my humble opinion, cover any extraneous grant which the union board might receive from any generous spirited person. At all events, if you want to make out that these are also 'other receipts,' then it is necessary for us to provide in this clause or to lay down that it would be legitimate for the union board to receive grants from other persons, and I think in that view this addition which I have submitted is necessary. With these observations I commend this motion to the acceptance of the House."

The Hon'ble Sir Henry Wheeler said :—

"Sir, so far as I can make out, there is no question of principle involved in this amendment; it is really almost one of drafting. We examined the point once or twice after receipt of the Hon'ble Member's amendment, and we could not persuade ourselves that this change was really required. The Hon'ble Member seeks to make an addition to clause 46 (now clause 45) to the effect that a union board may receive a donation or contribution, but clause 46 (now clause 45) merely says that a district board may make a grant-in-aid. It deals with the maker of the grant not with the recipient. But the amendment of the Hon'ble Member swings round to another point of view entirely, from the maker of the grant to the receiver of the grant. The only reason for making this addition is the apprehension that a union board may be presented with generous donations from private citizens, and find itself unable to accept them—a result which would be most regrettable. But I cannot see that they could be in that position. The union board will be a body corporate, entitled to acquire property, and I am advised that acquisition covers acquisition by gift. If so, when a generous donor comes along and presses Rs. 1,000 into their hands, there will be nothing to debar a union board from taking the money, and it is clearly contemplated in the Bill that they should do so. It will be seen that clause 47 (now clause 46) provides that 'other receipts' of the union board shall be paid into the union fund, and the second proviso refers specifically to sums made over to the union board for specific purposes, such as private donations towards the excavation of tanks, planting of trees, and

works of that kind. Therefore the amendment seems to me to be practically a matter of drafting, and after re-examination of the point, we do not see that it is required."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I am not convinced by what the Hon'ble Sir Henry Wheeler has said about the uncertainty which swings round clause 47 (now clause 46), as well as clause 19 (now clause 18)."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"Clause 19 (now clause 18) covers it."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"No, it does not ; the uncertainty is not removed either by clause 19 (now clause 18), or by clause 47 (now clause 46). I have already said that 'other receipts of the union board' is an expression which would not ordinarily mean any grant or donation, and clause 19 (now clause 18) which says they may hold property, etc., is rather vague. Besides what harm is there in making it clear and explicit. This is what I do not understand, and that is a point upon which Sir Henry Wheeler has not enlightened us. If it is thought that it will go against the draftsmanship of the Bill, well, I think, any member who may have charge of a Bill may forego any idea of being criticised on the ground of draftsmanship. Here we want to make it clear and distinct, and there is legitimate scope for such criticism of such defects as I have placed before the Council, and in that case, what harm is there in adding the words 'that the union board shall be competent to receive any contribution to the fund'. Certainly we cannot lay down and say that any person may contribute to the funds. We can only legalise the acts of the union board ; here a man comes and says 'Here is Rs. 500;' well we ought to say it is perfectly legitimate for them to receive such grants, and I do not think that even clauses 19 and 47 (now clauses 18 and 46) cover such a grant. It would make the matter more clear as the expression 'other receipts of the union board' seem to me to be wide of the mark. It would not be covered by what clause 19 (now clause 18) says, as I have already said. Therefore I ask the Council to consider whether we ought to make the point clear, so that there may be no doubt about the authority of union board receiving grants and donations."

The President said :—

"I might perhaps make a suggestion here which might meet the views of the Hon'ble Member and at the same time get over the objections which have been raised by the Hon'ble Sir Henry Wheeler. I think Sir Henry Wheeler's objection that clause 46 (now clause 45) is not a suitable clause on which to draft a proposal of this kind, is a valid one. It seems to me that it would be more appropriate if a proposal of this kind was included in clause 47 (now clause 46). Clause 47 (now clause 46) reads : "All sums realised under section 42 and all sums realised as fines, fees or costs under this Act, other than fines imposed under section 25, and all other receipts of the union board, union bench or union court....." and here you might add the words "including any donation or contribution from a private person." I would suggest that if the Hon'ble Member has no objection to this proposal, it would come better as suggested by me in clause 47 (now clause 46)."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"I am quite willing to accept Your Excellency's suggestion."

The President said :—

"If the Hon'ble Member will withdraw the amendment here, he can propose it again under clause 47 (now clause 46)."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 132.

The Hon'ble Mr. Provash Chunder Mitter moved that at the end of clause 46 (now clause 45) the following be added, namely :—

"Provided always that in the case of any union board which has imposed a rate under clause (*b*) of section 38 the district board shall make a suitable grant-in-aid."

He said :—

"My desire is that if a union board helps itself and imposes taxes on itself then this self-help may be rewarded by a statutory provision. I do not desire to go over the ground already discussed, but there is only one point which it is necessary for my purpose to discuss, and that is this. It has been said by Sir Henry Wheeler that there is no reason why we should mistrust the district board. I wish I could share in that optimism. About four years ago the income of the district board was raised by a grant of 29 lakhs of rupees under the public works cess which was made over to them. The whole of that sum, my Lord, was intended for improving the rural water-supply and for sanitary measures generally ; at any rate the Government circular made it abundantly clear that that was the intention. But the district board instead of doing that chose to increase their closing balance and out of its total income of one crore of rupees—it had in one particular year a closing balance of 51 lakhs—and that in a year when the whole province was crying for pure drinking water. The next year it had a closing balance of 41 lakhs of rupees. In that year I had the privilege of bringing these facts to the notice of this Council, and subsequently at the instance of Government action was taken, more at the instance of Government and less, I am sorry to say, on the initiative of the district boards themselves, that this undesirable state of things has been remedied. At the same time, my Lord, I feel the force of the observations of Sir Henry Wheeler, that these local self-governing bodies should be left to work out their own salvation, if I may make use of such an expression. That is all the more reason why I want this statutory provision only in respect of those union boards which agree to tax themselves. If we make this statutory provision, the district boards cannot complain that the executive is interfering with them; it will be a statutory provision and the executive will have every right to see that the district boards carry out this provision. But, on the other hand, if we do not have such a statutory provision, there may be if they do not help even those union boards who have taxed themselves. One word more, and I have done. It has been said that in the past the district boards have helped the union committees liberally ; I do not dispute that proposition, but at the present moment we have comparatively few union committees, scattered all over the province. Last year I put a question in the Council and I was told that if progress went on that rate, it would take 104 years to apportion out the whole of the province into union committees. With the few union committees that we have, it is quite possible for the district boards to help them generously, but we are legislating for the future. I look forward to the day and I hope that it is not very far distant, when the whole of Bengal will be

parcelled out into a number of union boards, and in a district with an area of 4 to 5,000 square miles there will be a large number of union boards, and if there be a statutory provision of this nature, it will stimulate the union boards to tax themselves."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, on a recent amendment I found myself in disagreement, I am sorry to say, with many of the non-official members of this Council, as to the degree to which it was wise to rely upon the good sense and discretion of the district boards in helping union boards financially, and the Hon'ble Mr. Mitter has just sought to adduce evidence justifying the doubt that is in him. But he will perhaps recognise that the instance to which he alluded had reference rather—may I say—to the bad old days, when the official hands lay heavily on district boards. I was looking forward to the happy time when the de-officialised district boards will attain to greater glories of common sense than they ever reached before, and I still think that my view of the previous amendment was justified in the best interests both of the district boards and of union boards. For instance, if we make it obligatory, every time a union board is created, for the district board to give it a grant, the district board, whose views are to be taken before the union board is created at all, might, after a certain point, be almost bound to oppose any suggestion for creating new bodies of this kind. However, I think we can differentiate between that amendment and this. In the first place, this amendment does not actually tie the discretion of the district board as to the amount of the grant, and one of my main grounds for objection to the previous amendment (although we did not come to that point) had reference to the subsequent amendment, by which, as a sequel to the principle of the obligatory grant, it was sought to commandeer anything up to half the road and public works cesses on this account. This amendment does not introduce a rigid system of that kind; it merely says a *suitable* grant, which will mean that the district board will have to use its discretion as to the amount. If it was determined to act thoroughly *mala fide*, it could, of course, give a purely nominal sum and yet keep within the four corners of the clause. That is a risk which must be run, but as I believe in a certain amount of common sense in district boards, I am willing to take it. The other feature of this amendment which differentiates it from that preceding it, and which presents some ground for regarding it in a different light, is the linking of the grant with the self-taxation of the union for the municipal duties which will not be obligatory upon it, but which it can take up at its option. We have recognised that there may be a certain amount of reluctance on the part of the union boards to tax themselves for these purposes, and we may willingly do anything reasonable to encourage them to do so. As a matter of fact, this form of encouragement is, as I understand, the policy at present adopted. Most district boards say to union committees 'If you tax yourselves and raise so much, we will add to it to such and such an extent.' Bearing these facts in mind, Sir, and also having in view the considerable volume of opinion which was expressed by non-official members in favour of a statutory recognition of the district board grant in some form, as also the wish of Government as far as possible to pass this Bill with the assent of us all (as it is merely directed towards an advance which we all welcome), I am prepared to accept the amendment which has been moved by the Hon'ble Mr. P. C. Mitter."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I find, my Lord, that within a few minutes of opposing my amendment, Sir Henry Wheeler has changed his mind to a certain extent and he seems

to have now come to the conclusion that it would be better not to oppose such a volume of non-official opinion in connection with this matter, and has taken the opportunity of accepting this amendment of the Hon'ble Mr. P. C. Mitter but there is one point I want to draw attention to, and that is that in our amendments, at least in my own, there was no provision to the effect that half or one-fourth should be contributed by the district board, or anything of that kind. It was absolutely left to the discretion of the Government."

The motion was put and agreed to.

AMENDMENTS Nos. 133 and 134.

The President said :—

"No. 133 is no longer in order, and in view of the decision which the Council has just reached, I think 134 is no longer desirable."

The following motions were then, by leave of the President, withdrawn :—

New Clause 46A.

The Hon'ble Babu Akhil Chandra Datta to move that after clause 46 the following be inserted, namely :—

> "46A. The Local Government shall make to the union board such grants-in-aid as they may think fit, the amount of such grant being not less than one-third of the total expenditure incurred by the union board in carrying out the purposes of this Act in the year preceding the year in which the grant is made, and may attach to such grants any conditions that may appear to the Local Government to be desirable."

The Hon'ble Kumar Shib Shekhareswar Ray to move that after clause 46 the following be inserted, namely :—

> "46A. The Local Government may direct the district board to make to the union board such grants-in-aid from the district fund as may be thought necessary for the purpose referred to in section 46, and may attach to such grants any conditions that may appear to the Local Government to be desirable."

AMENDMENT No. 135.

Clause 47.

The Hon'ble Mr. Provash Chunder Mitter moved that after the words "under section 25" in line 3 of sub-clause (*1*) of clause 47 (now clause 46) the following be inserted, namely :—

> "all fees paid on account of processes of any court served through the union board."

He said :—

"After the amendment which has been accepted by the Council, I submit that this amendment is more or less consequential to it. It has been accepted that chaukidars shall serve processes and all fees paid on account of processes of any court served to the union board, and in that view I think this amendment may be accepted. However I leave it to the Government. I think it would be desirable to have these words."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I had not viewed the amendment in the light in which the Hon'ble Member has just explained it. We had interpreted it as a desire on his part to make over to the union boards all process fees that were realised by the courts in respects of the processes which might be served by these union boards."

The Hon'ble Mr. Provash Chunder Mitter said :—

"My Lord, in view of the observation made by the Hon'ble Sir Henry Wheeler, I think it right that I should explain what I have in view. What I have in view is that the chaukidars will have the power to serve process; and it has already been explained by the Hon'ble Sir Henry Wheeler that it will depend upon the negotiations with the High Court. Now, supposing that the High Court allows the chaukidar to serve processes and that it may also be arranged in the course of these negotiations that the whole amount realised from process fees be paid to these union boards. I do not say that necessarily the whole amount should be paid to the union boards, which will employ these chaukidars, but that as the Civil Courts will also have their staff, it is just possible that an equitable arrangement may be made. It is from that point of view, I submit, that it is desirable to have these words included."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, as I have said, we thought that the amendment desired to make over to the union boards all the process fees realised by the courts in respect of processes which might be served through the agency of the union boards, and in that sense we could not have accepted the amendment. The process fees realized by the courts belong to them, as they are levied in respect of various actions taken by the courts, and they do not belong to the serving agency through which the processes actually reach the hands of the recipients. Moreover, the financial interests involved are obviously so large that Government could not agree to do anything which might involve the handing over of the revenue derived from process fees to these union boards. However, I understand, that the Hon'ble Member regards the matter as largely one of accounts, and merely seeks to make a statutory provision that if any fees are paid to these union boards for executing processes served through them, the fees may be credited to the union fund. The system, which we have adopted in places where processes are served by chaukidars, is to pay the actual serving chaukidar at a rate of so much per process, which is, I believe, 2 annas per process, and that remuneration goes into the chaukidar's pocket in return for the extra labour involved in delivering the process. Probably, in any system which we might lay down, we should adhere to that procedure. I do not think that it would be right that the union board should be turned into a kind of process-serving machinery which would make a profit out of the labour of the chaukidar. The wages of the labourer ought to go to the actual worker, which, in this case, will be the chaukidar. As a matter of accounts I do not think there is any harm in accepting the amendment, if it is worded in the following way :—

'Any fees paid to the union board in respect of processes served through the board'

which, I think, will meet the wishes of the Hon'ble Member. In this form, I am prepared to accept the amendment."

The Hon'ble Mr. Provash Chunder Mitter said :—

"My Lord, I accept the modification suggested by the Hon'ble Sir Henry Wheeler."

The motion was then put in the modified form and agreed to.

Rai R. C. Pal Bahadur ; *The President* ; *Babu A. C. Mazumdar* ; *Mr. P. C. Mitter* ; *Sir Henry Wheeler.*

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, may I inquire whether Your Excellency is going to adjourn the Council now as it is now half past six."

The President said :—

"I think we may make a little more progress and we might take advantage of the present cool spell of weather. We might adjourn when we come to clause 56.

I shall now call upon the Hon'ble Babu Ambika Charan Mazumdar to move that after the word 'court' in line 5 of clause 47 (*1*) the following be inserted :—

'including any subscription or contribution from any private person'."

The Hon'ble Babu Ambika Charan Mazumdar moved the following motion which was agreed to :—

"That after the word 'court' in line 5 of clause 47 (*1*) the following be inserted, namely :—

"including any subscription or contribution from a private person'."

AMENDMENT No. 136.

The Hon'ble Mr. Provash Chunder Mitter moved that after clause 47 the following be inserted. namely :—

"47A. The union board shall keep, in accordance with rules prescribed under section 111, a separate account entitled 'Endowment and Contribution Fund,' in which all sums received by way of gift or by virtue of any trust created to further any of the objects of this Act shall be entered."

He said :—

"My Lord, my object is that a separate account will show these receipts It will show how much donors have contributed in one separate account and it will also have the effect of keeping the account clear, because if any trust be created I suppose the union board will have to keep proper account of that trust. No doubt it will be quite possible for the union board to keep proper accounts under clause 47 (now clause 46). but it would, perhaps, be better if a separate account is kept of gifts and endowments."

The Hon'ble Henry Wheeler said :—

"My Lord, I do not think that a specific clause is necessary to this effect and it might even be misleading to provide definitely in the law for one individual register and not for others. In clause 111 (*m*) [now clause 101 (*m*)], we have taken power to make rules prescribing the method in which the accounts of the union fund should be kept. If it is desirable that a separate account should be kept for these endowments and contributions, it will be perfectly easy to prescribe it by rule."

Mr. P. C. Mitter; Babu A. C. Datta; Mr. Kerr.

The Hon'ble Mr. Provash Chunder Mitter said :—

"My Lord, in view of what the Hon'ble Member has said, I beg to withdraw the amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 137.

The Hon'ble Babu Akhil Chandra Datta moved that clause 52 (now clause 47) and schedule III be omitted.

He said :—

"My Lord, in the course of the discussion of some of the previous amendments I have indicated my reasons objecting to the delegation of powers by the District Magistrate. I do not like to repeat these arguments at this late hour of the day and I place this amendment for Your Excellency's acceptance."

The Hon'ble Mr. Kerr said :—

"My Lord, the object of the Hon'ble Member is apparently to do away with all powers of delegation in this Bill and to make the District Magistrate exercise all the functions which the Bill purports to invest him with. The Hon'ble Member has mercifully refrained from giving any reasons for his proposal, but I think I had better explain as briefly as possible to the Council why it is absolutely necessary to retain some powers of delegation. We estimate that ultimately there will be on an average between 250 and 300 union boards in each district throughout the Presidency. There will be in each of the boards a force of about 10 or 12 chaukidars and dafadars : so that the District Magistrate will have to deal with the appointment, dismissal and discipline of a body of 2,000 to 3,000 men. It will be noticed that the delegations in schedule III are mainly confined to the questions relating to dafadars and chaukidars. The powers of appointment and dismissal of chaukidars and dafadars may be delegated to the Subdivisional Magistrate, the Superintendent of Police or the circle officer. The power of fining dafadars and chaukidars under clause 25 may be delegated to the same authorities, but the power of requiring chaukidars to supply local information under section 26 and of calling for assessment papers and passing of orders thereon under clause 41 can be delegated only to the Subdivisional Magistrate. These are the main points of delegation. Under the present Act, it is open to the District Magistrate with the sanction of the Commissioner to delegate all his powers under the Act to any Magistrate of the 1st class or to any Magistrate in charge of a subdivision or to the District Superintendent of Police. Therefore, we have, in the present Bill, considerably curtailed the existing powers of District Magistrates in the matter of delegation. It cannot be said that the District Magistrate has been given a blank cheque in regard to this matter. We have carefully limited the powers which he may delegate and the persons to whom he may delegate. Having regard to the figures as to the chaukidari force in a district. I do not think that it can be said that the powers of delegation which we have provided are excessive or unreasonable. If the Hon'ble Member's amendment is accepted, the District Magistrate would have to do all the work himself and that would be absolutely impossible. The Hon'ble Member has not suggested any modification in the particular delegations which are provided for in the Bill as it

stands, and it would be impossible to take away the power of delegatio altogether. I therefore think that the Council will be well advised to rejec this amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, there is certainly some force in the argument advanced by th Hon'ble Mr. Kerr that the work will be stupendous for the Magistrate and h will not be able to cope with the work. That is certainly true, but at th same time on the other side, my real point is that I object to some of thes powers being delegated to the Superintendent of Police or to the circle officer If the delegation is to be made to the Subdivisional Magistrate as in items 4 5, 6, 8 and 9 of the schedule, I have no complaint against. My point is tha the words 'Superintendent of Police or circle officer, be omitted from item 4 and 5 of schedule III."

The Hon'ble Mr. Kerr said :—

"The Hon'ble Member is now speaking on amendments Nos. 215 an 216. The point does not arise on the present amendment."

The President said :—

"This point might more suitably be taken on item No. 215 in which th Hon'ble Member specifically raises that point."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, what I really meant to submit is that if the new suggestio is acceptable then I might see my way to withdraw amendment No. 137."

The President said :—

"I am afraid the Hon'ble Member will have to wait till we come to th schedule in order to be satisfied on that point."

The motion was then put and lost.

AMENDMENTS Nos. 138, and 139.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the word "District Magistrate," in the two places in which they occur in lines 3 and of clause 54 (now clause 49), the words "Divisional Commissioner" be subs tituted.

He also moved that the proviso to clause 54 (now clause 49), be omitted

He said :—

"My Lord, may I be permitted to move both the amendments 138 an 139 together because they refer to the same clause, namely, No. 54? Th proviso to this clause contemplates that if the District Magistrate is a mem ber of the municipal authority concerned, his functions under this claus shall be discharged by the Commissioner. My point is that the union boar is under the control of the District Magistrate; so if a dispute arises betwee the municipal authority and the union board, the District Magistrate bein the head of the union board and the controlling authority, he should not b the final judge. My proposal is that in that case the matter should b

Sir Henry Wheeler; Babu Kishori Mohan Chaudhuri; Babu Akhil Chandra Datta.

referred to the Divisional Commissioner, whose decision shall be final. It is unreasonable that in one capacity he being the head of the union board should be the final judge in the case of a dispute between a municipal authority and the union board, as the municipality may not be represented and thus may become a sufferer. That is all, my Lord, I have to say in this matter."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this amendment has reference to a comparatively unimportant clause of the Bill—a clause which we hope will seldom come into operation. This clause merely provides what is to happen if a dispute occurs between a municipality and a union board. Obviously that contingency may arise, even although it is likely to be rare : and the clause says that, in that event, the quarrel shall be decided by the District Magistrate as long as he is not a member of the municipality. It is modelled on section 136 of the Local Self-Government Act, which says that if a dispute arises between a municipality and a local authority, or authorities, within the same district, the matter shall be referred to the Magistrate of the district. That is an exact precedent. I understand, however, that the Hon'ble Member says that the connection of the District Magistrate with the union board will be such as to disqualify him for the post of arbitrator. In that I think the Hon'ble Member is mistaken. The immediate supervising authority over these union boards will be the local board and the district board : the issues involved are not likely to be serious, and the District Magistrate is not likely in any sense to be biased one way or the other in respect of them. It seems to me to be an unnecessary complication to insist on these petty trifles coming up before the Divisional Commissioner who has far more important duties to attend to."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I beg to submit that the union boards will be practically under the direct supervision of the circle officers and the circle officers will be directly under the district board. In that case I am not convinced of the reasons for saying that it will be proper that the District Magistrate should be the final authority in a dispute like the one contemplated in this clause. If there is any precedent that should not be followed. District Boards in the majority of cases are also presided over by the District Magistrate : so I am not convinced of the reasons of the opposition and I leave the matter to Your Excellency's Council ".

The motions were then put and lost.

AMENDMENT No. 140.

The Hon'ble Babu Akhil Chandra Datta moved that after clause 55*A* (now clause 50) the following be inserted, namely :—

> "55 (*A1*). All matters placed under the control and administration of the district board under the Bengal Local Self-Government Act of 1885 shall be wholly transferred to the control and administration of the local board with adequate funds for the purposes of such control and administration, and the function of the district board shall primary be that of a controlling authority over the local and union boards."

Babu A. C. Datta.

He said :—

"The Bengal Local Self-Government Act was passed on the 4th April 1885. There were three classes of bodies brought into existence by the Act, viz., Union Committee, Local Board and District Board. The whole question of local self-government was discussed at length by the District Administration Committee after about 30 years' working of the Act. That Committee declared that both the Union Committees and the Local Boards have been great failures. Various reasons have been given for this failure. But I accept without reservation the conclusion of the District Administration Committee that one of the chief reasons is to be found in the changes made in the original Local Self-Government Bill of 1883. The terms of the Bill which was introduced into the Council in February 1883 is a most interesting and profitable study. Only two classes of boards were originally proposed, viz., the Union Committee for the management of village affairs, and Local Boards for the general control of the Union Committees and for the management of works and institutions of more general importance. The Local Boards were to be entrusted with the powers and duties now exercised by District Boards, and were to be under the general control of a Central Board sitting in Calcutta. But the Secretary of State opposed the idea of a Central Board, and wanted to substitute it by a District Board so as to place each of the Local Government bodies completely under the eye and hand of the District Officer. The good and sagacious Lieutenant-Governor, Sir Rivers Thompson, unsuccessfully protested against this suggestion, as in his view the efficient and independent working of the Local Boards would be endangered by the establishment of District Committees, and he therefore insisted upon the Local Board being the largest unit of administration. The proposal of Sir Rivers Thompson was accepted by the Government of India. But most unfortunately for the cause of local self-government in this country the Secretary of State adhered to the scheme of District Committee and the result was the creation of the District Board as an administrative body. The Secretary of State had no objection to treating the District Committees as committees of control rather than committees of administration. But to our greatest misfortune further and worse changes were made and the District Board under the chairmanship of the District Officer became the unit of administration and not simply a committee of control, and the Local Boards were the agents of the District Boards with very restricted powers and without any financial independence, while union committees became merely optional appendages of the superior bodies. In fact they came to be the fifth wheel to the coach. Thus the changes made at the instance of the Secretary of State completely transformed the whole scheme for local self-government in Bengal originally elaborated with great care and wisdom by the framers of the Bill. It was certainly a mistake to make the District Board the administrative unit of local self-government, and to leave the smaller bodies dependant on its charity and with no clearly defined position in the general scheme. This, according to the District Administration Committee, was to begin local self-government at the wrong end, for the system ought to start from the bottom and work up, as was originally intended, rather than from the top and work down. The Decentralization Commission was also of opinion that the scant success of the efforts hitherto made to introduce a system of rural self-government is largely due to the fact that we have not built up from the bottom. Even as committees of control the areas of jurisdiction of the District Board is too large and experience has shown that they are composed largely of members who have neither local knowledge or interest in local works. It must be the common experience of many District Boards that members representing one subdivision are ignorant about the local condition of other subdivisions. How can you feel an interest in works of public utility unless you know the locality and the people and their wants and wishes? My own experience is that at present roads, khals, bridges, tanks, schools and dispensaries are now undertaken by a District Board piecemeal and at random without considering the wants of the entire district and without any adjustment of the

conflicting claims of the different parts of the district. Nobody knows the whole district and nobody feels and takes any keen interest in the entire district. We sometimes have an unseemly contest between the representative of different subdivisions each trying to screw out as much money as he can for the improvement of his own subdivision. The most important part of the work of the District Board is done in the various committees, *e.g.*, the Education Committee, Public Works Committee, Medical Committee, and so on. For obvious reasons the members living in the interior of the district are unable to serve on those committees with anything like efficiency. Thus it oftentimes happens that those who have local knowledge do not work on those committees, and those who work on those committees have no local knowledge. Besides the number of members is very restricted, and many parts of the district go absolutely unrepresented. At present each District Board on the average has twenty members with an average population of 17 lakhs. Speaking roughly, therefore, each member represents a population of close upon one lakh. This, to say the least, is very meagre and poor representation. In Assam they have no District Board as in Bengal; they have all Local Boards, one for each subdivisions the status of a Local Board there being similar to that of a District Board here. Each member there represents about 20,000 persons, *i.e.*, the representation there is five-time as much as we have got here. In Bengal the representation in municipalities is immeasurably better than in District Board areas, each Municipal Commissioner representing about 1,400 persons. Then again some members are too influential to be ousted by others. The result inevitably is an unequal and inequitable distribution of the district fund over the different parts of the district. A thorough and intimate knowledge on the part of the members of the entire area of their jurisdiction is the only remedy of this state of things. This intimate knowledge cannot be ensured without reduction of inordinately large charges. If partition of districts is necessary for bringing the executive officers of Government into closer touch with the people, then, my Lord, the partition of local self-government areas is much more necessary for bringing the members of the self-governing bodies into closer touch with those people whose affairs they are invited to manage. The question now arises how this can be accomplished. I venture to think, my Lord, the abolition of the District Boards and transference of all their powers and duties to the Local Boards will solve the whole problem. It is not a revolutionary proposal that I make. I have reviewed the history of the law of local self-government in Bengal only to show that that was precisely the original idea of those responsible statesmen and administrators to whom belongs the glory and pride of making an attempt to introduce local self-government. I do not plead for the acceptance of a new idea, new policy or new scheme. I only urge that the great blunder against which Sir Rivers Thompson fought unsuccessfully should now be rectified. I only plead that the scheme which was approved in 1883 by the Government of India should be adopted. I only say this, that the institution which has now been given a trial for 34 years, and which, according to the District Administration Committee, has failed because its basis was unsound and unpractical—I only say, my Lord, that institution should now be practically abolished. While however holding this strong view, I cannot be insensible to the supreme importance of disturbing the existing system as little as possible. I cannot overlook this stupendous difficulties involved in the dislocation of the present structure. I have therefore proposed not the abolition of the District Board altogether, but only the transference of the administrative duties and powers of the District Boards to the Local Boards. In other words, I propose that the Local Boards should be the largest unit of administration so far as works and institutions of more general importance are concerned, and the District Board should be essentially a board of control —a board for controlling and supervising the Local Boards and Union Committees. This principle has already been accepted by Bengal Act III of 1885, section 101 of which gives power to the Local Government and the District Board to transfer all their powers to Local Boards. But the power is

discretionary and has, as a matter of fact, never been exercised excep recently in favour of the Asansol Local Board. This is a matter, my Lord, i which Bengal can imitate with advantage the system which now obtain in Assam. Whoever has seen the roads and bridges and other works execute and managed by the Assam Local Boards must admit their superiority t those of most districts of Bengal. The verdict of those who are competent t speak with authority on the subject is that the system of Local Boards i Madras has been an unqualified success, and a reference to the Madras Loca Boards Act V of 1884, and the Amending Act of 1900 shews what an import ant position has been assigned to the Local Boards established in tha Presidency. It is these boards that really form the principal units of sanitar administration.

Allow me, my Lord, in conclusion to invite the attention of the Counci to the historic resolution which the Government of India issued on the 18t May, 1882 on the subject of local self-government. The view of the Govern ment of India, as then formulated, was that District Boards had failed t secure the attendance of members possessing local knowledge of outlying part of the district, with the result that undue attention was paid to the are adjoining the district headquarters, or that the business fell into the hands o the Collector. The Government of India therefore modified the previou suggestion to constitute one committee for each district, and expressed desire that the smallest administrative units—the subdivision—should ordi narily form the maximum area to be placed under a Local Board. It was lai down that 'the cardinal principle, which is essential to the success of self government in any shape, is this, that the jurisdiction of the primary boar must be so limited in area as to ensure both local knowledge and local interes on the part of each of the members.'

The recommendation of the Decentralization Commission may also b considered with profit in this connection. Paragraph 736 of their report run as follows :—

'We are strongly in favour of the principle enunciated by Lord Ripon' Government in 1882 that Subdistrict Boards should form an essential par in the scheme of local self-government, that they should have adequat resources and a large measure of independence, and that their jurisdictio should be so limited in area as to ensure both local knowledge and interes on the part of the members, and be at the same time a unit well-known to th people. We think that the admitted failure of Subdistrict Boards, as a whol has been largely due to circumscription of their powers and resources. I Madras and Assam, where they have a free scope, they appear to have achieve some measure of success.'

The specific recommendation of the Commission formulated with grea precision in paragraph 93, page 307 of their report substantially supports m recommendation.

My motion also receives unstinted support from Dr. Bentley, our Sanitar Commissioner, who, while discussing the Bill from a sanitary point of view, say "If the Circle Boards are not established, it is essential that Local Board should be developed so as to form intermediate units of local self-govern ment administration. District Boards have been woefully neglectful an inefficient, specially in respect of public health—and this is largely due t the excessive size of the areas they have to administer. The Distric Board should be the co-ordinating and controlling authority for the publi health administration of the district, but the attempt to administer measure for the prevention of the disease over an area of several thousand squar miles will prove expensive, wasteful and inefficient and it is absolutely essentia that intermediate sanitary districts should be created if systematic work is t be attempted in rural areas with any hope of success.'

Conditions in England are no doubt very different from those in Bengal But the English system also supports my motion.

In England the largest unit of administration is the county and on the average a County Council administers an area almost 2½ times smaller than that under a District Board in Bengal. This would be the nearest approach to the average area of a Local Board in Bengal. County Councils, moreover, are not really responsible for the details of sanitary administration which is left in the hands of smaller bodies intermediate in size between County Councils on the one hand and Parish Councils on the other.

So, my Lord, reason, authority, precedents and experience—they are all in support of the motion which I hope Your Excellency's Government and the Council will accept."

The Hon'ble Mr. O'Malley said :—

"My Lord, the clause which the Hon'ble Mover wishes to add to the Bill is of a revolutionary character, and judged from the fact that only seven elected members are present, it does not appear to have been thought attractive by the other side of the House. Section 101 of the Local Self-Government Act provides that any particular matter which is under the control and administration of the District Board may be transferred either wholly or in part to a Local Board with adequate funds; for instance, all the roads or some of a subdivision may be transferred to a Local Board with an allotment sufficient for their construction and upkeep. This amendment, however, is quite of a different nature as it aims at transferring the whole work of a District Board to Local Boards. It contemplates a drastic change in the system of local self-government which has been in force for over 30 years. If it were accepted, the District Boards would be reduced to a shadow of themselves. The whole organization now existing would be swept away, District Engineers would have to be abolished and the control of roads, schools, dispensaries, public health, etc.,——in fact all the functions of the District Boards——left to the Local Boards. This is not a fair amendment to make in connection with the Village Self-Government Bill, the object of which is to create village authorities. It is nothing less than a sweeping amendment of the Local Self-Government Act cutting at the root of the system which the Act has established Government cannot possibly consider such an amendment in connection with the Village Self-Government Bill, and on behalf of Government therefore I must give an uncompromising negative to the motion."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, this may not be acceptable to the Council—that is quite another matter. But it passes my comprehension how my amendment can be characterized as a revolutionary proposal. I have placed before the Council the whole history of the matter. I have shown how this was the original idea of the Self-Government Bill of 1883 and how it was accepted by the Government of India. This was also the idea of Sir Rivers Thompson. I have heard nothing said in reply to that portion of my speech. In fact I take my stand upon the history of the matter and I know it is impossible to give any answer to that. Quite apart from that, however, the principle that I am advocating has been expressly and in so many words accepted in section 101 of the Local Self-Government Act of 1885. And my amendment is almost a verbatim reproduction, with some slight alterations, of that section in the Act of 1885. There is absolutely no difference between that section and my amendment, except that in the former it is optional to the Lieutenant-Governor, while in my amendment I have suggested that it 'shall be transferred.' That is all. So far as the principle is concerned it is accepted in the Act of 1885, and I cannot follow the Hon'ble Mr. O'Malley when he characterizes my proposal as revolutionary. My real point is this: I am not proposing to do away with the control of the District Board. All I want is that the District Board should be

the controlling body and the Local Board should be the administrative body There is nothing revolutionary in this. And I think in view of the result obtained in other provinces under this system it deserves a careful consideration by the members of this Council."

The motion was then put and lost.

AMENDMENT No. 141.

The Hon'ble Babu Akhil Chandra Datta moved that the words "except in matters relating to dafadars and chaukidars" in the last two lines of clause 55A (now clause 50) be omitted.

He said :—

"My Lord, the whole subject has been discussed several times, and I do not think any useful purpose will be served by any new observations on this point."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, a little while ago I thought I had reached the last of these amendments which would place the dafadars and chaukidars under the subordination of Local Boards, but I had apparently missed this one. My objection to such a proposal is the same, namely, that Local Boards have no historical connection with dafadars and chaukidars, and that they are unsuitable authorities to be placed in a supervising position over them."

The motion was then put and lost.

AMENDMENT No. 142.

The Hon'ble Babu Akhil Chandra Datta moved that after clause 55A (now clause 50) the following be inserted, namely :—

"55B. (*1*) Every Union Board shall submit annually to the Local Board, on or before such date as the Local Board may appoint, an estimate of the probable receipts and expenditure of the Union Board under each head of account for the ensuing year, and an account of its receipts and expenditure for the past year; and shall submit any other reports which the District Board or Local Board may, from time to time, require.

(*2*) Every estimate submitted under this section shall be subject to the sanction of the Local Board, who may, before sanctioning any estimate, modify it as it may think fit.

55C. No Union Board shall incur expenses or undertake liabilities to any amount exceeding the limit imposed by the Local Board."

He said :—

"My Lord, in support of this amendment I have only to say this : that these provisions are already to be found in the Local Self-Government Act in respect of the union committees. It does occur to me that these provisions are wholesome and there is no reason why they should not be included in the present Bill."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, it is true that these clauses are modelled on sections 105 and 106 of the Local Self-Government Act, and the Hon'ble Member would justify them as a simple prudent measure of accounts procedure. But, in fact, they go beyond that. In the first place, as regards accounts matters, we do not require a special clause. We shall have a rule-making power in respect to accounts, and in so far as it may be desirable to make Union Boards draw up estimates and budgets of the expenditure they seek to incur, we shall have power to direct them to do so. But the objection to inserting clauses of this kind in the Bill is not only that it is not necessary, but also that, as worded, it would result in giving Local Boards a direct authority over chaukidari administration which will be in conflict with the powers vested in the District Magistrate. That is one of the results of combining in one body the chaukidari and petty municipal administrations which were previously entrusted to two different bodies. If we adopt account rules which were previously applicable to one body only, we arrive at the undesirable result that we give a right of interference with a side of the administration with which that body had previously no connection whatever. Under the proposed section the Union Boards cannot incur any expenditure or undertake liabilities of any amount exceeding the limit imposed by Local Boards, and it would, therefore, be in the power of the Local Board to say that there shall or shall not be so many chaukidars, and that their pay, even if approved by the District Magistrate, shall or shall not be paid to them unless it is in accordance with what the Local Board has laid down. There would thus be a direct conflict of authority, and on this second ground also, I would oppose the amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing more to say."

The motion was then put and lost.

Adjournment.

The Council was then adjourned to the next day, Wednesday, the 9th April, 1919, at 11 A.M. in Government House, Calcutta.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA ;
The 9th May, 1919.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 9th April, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. S. G. HART.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. W. E. CRUM, O.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBICA CHARAN MAZUMDAR.

BILL, 1919.

Babu A. C. Datta; Mr. Kerr.

The discussion on the Bengal Village Self-Government Bill, 1919, was resumed.

AMENDMENT No. 143.

The Hon'ble Babu Akhil Chandra Datta moved that the words "sub-divisional magistrates" and "circle officers" in lines 2 and 3 of sub-clause (*1*) of clause 56 (now clause 51) be omitted.

He said :

"My Lord, the words 'the sub-divisional magistrates' and 'circle officers' were not in the original clause. They have been introduced by the Select Committee on the second occasion. Whatever may be the position as regards sub-divisional magistrates we have serious objections to this important power being invested upon the circle officers; we are afraid that the result will be the departmentalization of the union board. In the light of our experience of the working of the wholesome provisions of the Chowkidari Act of 1870, we know how the village police were absolutely departmentalized. With regard to this matter, of course, the circle board was the essence of the scheme of the District Administration Committee, but the circle board has been eliminated by the Select Committee and the Council has accepted that position. Now, that being so, the circle board having been eliminated, it is only proper that the circle officers should also go out. Circle officer without a circle board is rather an anomaly. The result will be that the village council will be something like a village school with the members of the union board as peoples and the circle officers as pedagogues, and what we are afraid of, my Lord, that like a veritable pedagogue the circle officer will use the rod too frequently and too indiscriminately and will possibly hinder the spontaneous growth of the self-governing institution. That is our apprehension. In paragraph 720 of their report the Decentralization Commission said that it is most desirable that the union board should be free from interference of lower Government subordinates. I am not quite sure, my Lord, it may be said possibly that this was a remark which was not intended for officers of the class of circle officers, but I should think that this applies to the circle officers, specially in view of the fact that the proposal to appoint deputy magistrates as circle officers has been for all practical purposes rejected and that it is now proposed that circle officers will be young sub-deputy collectors either just appointed or who will be appointed presently. In view of all this we fear that the interference of circle officers is likely to hinder the growth of union boards : and besides, my Lord, it appears to me that this is more retrograde than the corresponding section 120 of the Bengal Local Self-Government Act of 1885, and especially as these words were not in the original clause there is no special reason why they should be added at this last stage."

The Hon'ble Mr. Kerr said :—

"My Lord, I may begin by correcting one misapprehension under which the Hon'ble Member seems to be labouring. He says that these words to which he objects were not in the original Bill; but in the Bill, as it was presented to the Council in February last, it was provided in Schedule III that the district magistrate should be authorized to delegate to a sub-

divisional magistrate or a circle officer the power of seeing that the proceedings of union boards were in conformity with the law and the rules made thereunder. In the Select Committee it was objected—and I think quite rightly objected, that this was not a proper matter for delegation. It was argued that if it is the policy of Government to employ these officers in seeing that the proceedings of union boards are conducted in conformity with the law, the policy of Government ought to be provided for in the law itself and should not be left as a matter of delegation for the magistrate's decision. The Select Committee agreed with that view, and they consequently cancelled that item in the schedule and inserted these words in clause 56—the words which the Hon'ble Member wishes to get rid of.

As far as I understand the Hon'ble Member, he does not very much object to sub-divisional magistrates exercising this power and I think it is fairly clear that under the present system of administration, the district magistrate and the sub-divisional magistrate must have the power of inspecting these union boards and of seeing that their proceedings are conducted on the right lines. But the Hon'ble Member does object to this duty being entrusted to circle officers. The Hon'ble Member has quoted a good many extracts from the report of the District Administration Committee; and I gather that he considers that the views of that body are entitled to considerable weight. I am rather surprised therefore that he does not seem to have studied their scheme of circle officers. He says that as the circle boards have been knocked out, we should knock out the circle officers also. Under the District Administration Committee's scheme, circle boards were to meet once a quarter; the circle officer might be its Secretary or he might be a member. It was an obvious defect in the Committee's scheme that there was very little work for the circle board, and therefore the Select Committee abolished the circle board. But, as regards the circle officer, the position is entirely different, and the fact that circle boards have been abolished is no reason for abolishing circle officers also. The circle officer is to be a touring officer. He is to have under his jurisdiction 25 or 30 of these boards, he is to be on tour nearly the whole of the month and he is expected to visit each union at least once a month. It can hardly be expected that a circle officer visiting a union would merely pass the time of day with the president, talking about the weather and the state of crops, and carefully refraining from putting any questions as to how the union boards were working and as to what sort of difficulties they were meeting. It is to be a definite part of the functions of the circle officer to see that the proceedings of union boards are in conformity with the law, and the circle officer is obviously the person who will have the best opportunities of doing so. If the Hon'ble Member's amendment were accepted, the only people who would have power to look into the working of these small bodies would be the commissioner, the district magistrate, the chairman of the district board and the chairman of the local board. I explained yesterday that in each district there will be on the average, when the scheme is extended throughout the province, 250 union boards. Obviously, the district magistrate could not inspect these bodies individually—still less the commissioner. The sub-divisional officer will have 80 or 100 union boards in his jurisdiction, but that number is too many for him to be in touch with. If there is to be any control over these union boards and if they are to be given real guidance and help, we must go lower down the official hierarchy, and I do not think that it will be seriously suggested that these small bodies composed of village people will not require help and guidance at any rate for some years to come. Government, therefore, consider it essential to retain this function of the circle officer. The circle officer is not going to be a raw youth put in to worry these bodies. We have, it is true, increased the cadre in view of the passing of this Bill; but it does not follow that we shall put in men who were only appointed the other day to undertake the duties of circle officers. We shall probably put in more experienced men who have

already been trained as circle officers, and in any case sub-deputy collectors will be trained before they are entrusted with these functions. On these grounds, I submit that it is necessary, for the proper working of the Bill, to retain these functions of the circle officer and I must therefore oppose the amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, one of the important arguments advanced by the Hon'ble Mr. Kerr is this—that the institution of circle officers has been very much recommended by the District Administration Committee. Now, my Lord, I wanted to avoid any reference to the District Administration Committee's report about the origin of this institution. I wanted to avoid advisedly and deliberately because I think there is something very wrong in the case that has been made out in favour of the circle officer by the District Administration Committee. If we analyze the position of the District Administration Committee about these officers, it comes to this: They say that the real problem is how to bring Government officials into touch with the people in order to enlist their co-operation and sympathy in all administrative measures. Then it is said that in Bengal administrative devolution stops at the sub-divisional officers: there is another agency subordinate to sub-divisional officers as a connecting link between Government on the one side and the people on the other. Then they go on to consider as to how an agency between the villagers and Government can be established here in Bengal. And then they consider as to why the tahsildars and other officers below the sub-divisional officers, whose main function is the collection of revenue, should not form this agency; but having regard to the permanent settlement in Bengal it would be quite unreasonable to bring into existence a class of officers for that purpose and therefore they go on to observe that there must be some other justification for bringing into existence some such officers, and then they say that justification will be found in village organization. It is in that way that a case has been made out for circle officers: in other words, according to the view of the District Administration Committee, circle officers are not wanted as a means to the end which is village self-government, but circle officers are the end and that in order to give them some occupation that the village system should be organized. In any case the view that has been taken by the District Administration Committee has nothing to do with village self-government. In this clause 56 (now clause 51) there is first of all the commissioner, then the district magistrate, then the sub-divisional officer, the circle officer, then the chairman of the district board and finally the chairman of the local board who will inspect the working of the local board. That cannot be conducive to the growth of these individual institutions."

The motion was then put and lost.

AMENDMENT No. 144.

The President said :—

"Item No. 144 is covered by the previous decision."

The motion was then deemed to be withdrawn.

It was as follows :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that the words "circle officers" in lines 2 and 3 of sub-clause (*1*) of clause 56 (now clause 51) be omitted.

AMENDMENT No. 145.

The Hon'ble Babu Akhil Chandra Datta moved that for the word "commissioner" in line 1 of sub-clause (*2*) of clause 56 (now clause 51) the words "district board" be substituted.

He said :

"My Lord, in this connection I shall only refer to another clause of a similar subject, namely, clause 63 (now clause 58) where similar power is given to the district magistrate or the district board, and besides my Lord, the supervision will be done better by the district board who will be nearer at home than by the commissioner with all his multifarious duties and living at some distance and not in direct touch with the union boards."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I must oppose this amendment. Clause 56 in its first portion places the duty on certain authorities of seeing that the actions of these union boards are in accordance with law, and in the second portion it gives power to the Commissioner to annul proceedings which are not in accordance with law, this being a sequel to the first part. The placing of this power with the Commissioner is in conformity with the ordinary principle of outside control. It has been said on occasions in the past that local self-government has not had a fair chance of success in this province because control has been too much from within instead of from without. Now when, in this instance, we propose to impose control from without, we are told that that, in its turn, is not necessary, and that it will be quite sufficient to vest the controlling authority in the district board. I submit that the suggestion is inconsistent with the idea of outside control, and that the Commissioner is the proper agency to intervene if the proceedings transgress the law. It is arguable, indeed, that in mentioning the Commissioner we are putting it unnecessarily high, and that we might reasonably have vested this power in the district magistrate : but in so far as the setting aside of the action taken presumably, by a responsible local authority, is an act of some importance, I do not see that there is any cause for complaint in that we have vested it in a higher officer, and in answer to the assertion that the Commissioner will know nothing about what is going on, I may say that he will, inevitably, act on the reports of the supervising functionaries that are mentioned in the first part of the clause."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, there is nothing more to add."

The motion was then put and lost.

AMENDMENT No. 146.

The following motion was deemed to be withdrawn :—

If motion No. 145 be carried **the Hon'ble Babu Akhil Chandra Datta** also to move that for the word "he" in line 2 of sub-clause (*2*) of clause 56 (now clause 51) the word "they" be substituted.

AMENDMENT No. 147.

The Hon'ble Babu Akhil Chandra Datta moved that after the word "commissioner" in line 1 of sub-clause (*2*) of clause 56 (now clause 51) the words "or the chairman of the district board" be inserted.

He said :

"My Lord, my justification for this amendment is that in clause 63 (now clause 58) a similar power has been given to the district magistrate as well as to the district board and that may be done in this case also."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I have just explained the intention in introducing the Commissioner in this clause and I cannot see any advantage in instituting a dual-authority which will have the right to set aside an illegal action if taken by the union board. The precedent of clause 63 (now clause 58) is not very appropriate; that has to do with the suspension of action—a kind of emergency power to be applied immediately if it is found that a serious mistake has been committed. There may be justification for giving that power concurrently to the district magistrate and to the district board which will see a good deal of the working of these union boards, but clause 56 (now clause 51) is entirely different. That covers the duty of definitely setting aside a proceeding, and that is best vested in one authority and not in two."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, so far as the arguments of the Hon'ble Member based on dual-authority are concerned, I do not think that, as there are so many instances of dual, treble and quadruple authorities in this Bill that is a sufficient ground for opposing my amendment."

The motion was then put and lost.

AMENDMENT No. 148.

The Hon'ble Babu Akhil Chandra Datta moved that the words "or any other person authorized by them or by the local Government" in lines 3, 4 and 5 of clause 57 (now clause 52), be omitted.

He said :

"My Lord, the corresponding section in the Bengal Local Self-Government Act of 1885 is section 121, but these words do not appear in that section, and I am not aware of any reason why they should be used here."

The Hon'ble Sir Henry Wheeler said :—

"Clauses 57 and 58 (now clauses 52 and 53) of the Bill are, in a sense, consequential on clause 56 (now clause 51). Clause 56 (now clause 51), as I have just said, makes certain people responsible for seeing that the

union boards are working in conformity with the law. Clauses 57 and 58 (now clauses 52 and 53) give certain people the right of inspecting the record of work of these union boards, and seeing whether their work is running in a proper way or not. In clause 57 (now clause 52) it is provided that 'the chairman of the district board or local board or any other person authorized by them or by the local Government' may have access to books, records, etc., Clause 58 (now clause 53) provides the same as regards works in progress. The Hon'ble Member wishes to omit the reference to "other persons" but to my mind that would be a most regrettable curtailment of the section, and I would instance to him persons to whose intervention, I should imagine, no exception can be taken. I mentioned the other day that we shall have power to make rules regarding accounts and audit. Proper account-keeping will be an important part of the administration as conducted by the union boards, and it will be a part of the administration which it is most undesirable to allow to go wrong. It may happen that it will be found desirable to send persons down to audit and look into the accounts of these union boards, and, if so, they will be authorized under this section, and I cannot see that any reasonable exception can be taken to action on these lines. If so, it is right that this clause should stand as at present."

The Hon'ble Babu Akhil Chandra Datta said :—

"I have nothing more to add."

The motion was then put and lost.

AMENDMENT No. 149.

The following motion stood in the name of the Hon'ble Babu Akhil Chandra Datta :—

The Hon'ble Babu Akhil Chandra Datta to move that the words "and other person authorized by them or by the Local Government", in lines 3 and 4 of clause 58 (now clause 53), be omitted.

He said :

"My Lord, I feel that there may be cases in which it may be necessary to engage other persons for the purposes of the inspection contemplated by clause 58. Therefore, on second consideration, I do not like to press this amendment. I, therefore, beg permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 150.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "district magistrate", in line 1 and in line 5 of sub-clause (*1*) of clause 59A (now clause 54), the words "district board" be substituted.

Sir H. Wheeler; Babu A. C. Datta; Babu K. M. Chaudhuri.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, had other amendments been accepted, it would have brought the district boards into closer relation with the chaukidars and dafadars than they ever have been, or than it was ever intended that they should be. In that case, this amendment might be said to be consequential. But those other amendments not having been accepted, I submit that this amendment is entirely unreasonable and inappropriate, and I therefore oppose it."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing to add."

The motion was then put and lost.

AMENDMENT No. 151.

The following motion was deemed to be withdrawn.

If motion No. 150 be carried the Hon'ble Babu Akhil Chandra Datta to move that for the word "he", in line 6 of sub-clause (*1*) of clause 59A (now clause 54) the word "they" be substituted.

AMENDMENT No. 152.

Clause 61.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the words "district magistrate", in the two places in which they occur in clause 61 (now clause 56), the words "divisional commissioner" be substituted.

He said :

"My Lord, my reasons are that in analogous proceedings of these boards, the commissioner has been given the power of interference, and I think that the removal and supersession of these boards should be done by the commissioner independent of the district magistrate. It is a serious matter and it is very desirable that it should not be done locally, but by the divisional commissioner."

The Hon'ble Sir Henry Wheeler said :—

"Sir, I would accept the amendment if the Hon'ble Member would agree to mention the district magistrate as one of the persons whose views the Commissioner would consider, that is to say, that the Commissioner, after consideration of the views of the district magistrate and the district board, etc."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I would accept that."

The motion was put in the following form and agreed to :—

(*1*) that for the words "district magistrate" in the two places where they occur in sub-clause (*1*) of clause 61 (now clause 56) the word "commissioner" be substituted,

(*2*) that after the words "consideration of the views of" in the same sub-clause the words "the district magistrate and" be inserted, and

(*3*) the words "with the sanction of the commissioner" in the same sub-clause be omitted.

AMENDMENT No. 153.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, amendment No. 153 falls, I think."

The President said :—

"As a result of the decision of the Council on the previous amendment this amendment is no longer in order. The Council decided that the word 'commissioner' be substituted, and they cannot go back on that decision."

The motion was then deemed to be withdrawn. It was as follows :—

The Hon'ble Babu Akhil Chandra Datta to move that for the words "if the district magistrate, after consideration of the views of the district board, is", in lines 1 and 2 of sub-clause (*1*) of clause 61 (now clause 56) the following be substituted, namely :—"If the district board are"; and that for the words "district magistrate may, with the sanction of the commissioner" in lines 6, 7 and 8 of sub-clause (*1*) of the same clause, the words "district board may, with the sanction of the local Government", be substituted.

AMENDMENT No. 154.

The following motion was deemed to be withdrawn :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that the words "with the sanction of the commissioner", in lines 7 and 8 of clause 61 (now clause 56) be omitted.

AMENDMENT No. 155.

The Hon'ble Rai Debender Chunder Ghose Bahadur, in the absence of the Hon'ble Babu Surendra Nath Ray, moved that at the end of sub-clause (*1*) (*b*) of clause 61 (now clause 56), the following be added, namely :—

"either as regards the exercise of its power under part I or part II, or both".

He said :

"My Lord, in the absence of the Hon'ble Babu Surendra Nath Ray I applied for permission to move the amendment which stands in his name. The

Hon'ble Mr. Roy apprehended that in consequence of the supersession of the union board by an order of the magistrate, the result will be that it would affect the status of those members of the board, who might be appointed as members of the union bench and as members of the union court, that is the criminal bench and the civil court, and that it is desirable that it should not have such consequences. But this morning, the Hon'ble Mr. Duval has drawn my attention to the fact that this criminal bench and the civil court will be created by an order of the local Government. That being so, it does not follow that an order of the magistrate will affect such institutions, and therefore I do not think on reconsideration that the amendment proposed is necessary. I therefore ask permission to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 156.

The Hon'ble Mr. Provash Chunder Mitter moved that after sub-clause (*1*) of clause 61 (now clause 56), the following be inserted, namely :—

> "Provided that in the case of an order under clause (*b*) it shall be necessary for the district magistrate to obtain the concurrence of the chairman of the district board before recording the order."

He said :

"My Lord, as a result of the amendment which has already been accepted, I would like to make a little alteration in my amendment, leaving the substituted words 'divisional commissioner' for the words 'district magistrate'. I may submit that the change I am asking for is more or less consequential on the amendment already accepted by the Council. In the Bill as it originally stood it was the district magistrate who was to be given this power, but now the Council has decided that that power will be exercised by the divisional commissioner. I will ask your Excellency's permission to make that alteration in my amendment and then I shall make my submission with regard to the main point."

The President said :—

"Yes, you may."

The Hon'ble Mr. Provash Chunder Mitter said :—

"My object in moving this amendment is that with regard to the supersession which is the subject-matter of clause 61 (*1*) (*b*) [now clause 56(*1*) (*b*)] and with regard to that alone the concurrence of the chairman of the district board should be obtained. The whole scheme of this Bill is such that the chairman of the district board and the district magistrate should act in mutual co-operation, and it is desirable that when a serious step like that of supersession is taken, there should be concurrence of the chairman of the district board. That will obviate a misunderstanding, and that I submit will lead to a better working of these union boards. My Lord, on another occasion I indicated that if a local self-governing institution needs to be reprimanded or superseded in the interests of self-government, strong action should be taken, and at the same time it is desirable that all the authorities should be unanimous in a matter like this."

Sir H. Wheeler; Mr. P. C. Mitter; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I do not think that this was a very good amendment even as it was first filed, and I submit that it has become worse now that we have amended clause 61 (now clause 56) in the manner which has just been approved. The original clause was to the effect that if the district magistrate, after consideration of the views of the district board, was satisfied that a union board is incompetent, he could supersede it with the sanction of the Commissioner. The Hon'ble Babu Kishori Mohan Chaudhuri proposed that the order should vest solely in the Divisional Commissioner, although in any case the Divisional Commissioner's sanction would have to be obtained, and we have agreed to that course. I can imagine the Hon'ble Member arguing, though I should not agree with him, that we might require the district magistrate to get the concurrence of the district board, but I cannot see how the Commissioner of the Division can properly be expected to get the concurrence of the district board. Surely now that we have given this power to the Divisional Commissioner and have required him to consider the views of the district magistrate and the district board, we have done all that can be reasonably expected. This power of supersession is the last step in the matter of outside control. It will only be applied as an extreme step, and, we hope, it will not be applied frequently. Let it be remembered that it is to be applied to what, after all, is a small local body; the union board will be a small body concerned with petty administration over a very small area, and administering funds which may run to Rs. 1,000 or so on an average. Is it unreasonable to give the Divisional Commissioner the ultimate right of superseding them if they fail in the discharge of their duties?

It would be entirely anomalous to require the head of the division to obtain the concurrence of the chairman of the district board before he can take action of this nature. Moreover, it is conceivable, though I do not think it likely, that the district board might be interested or concerned in the events which led up to the supersession of the union board. I therefore oppose the amendment."

The Hon'ble Mr. Provash Chunder Mitter said :—

"My Lord, with regard to the first two lines of clause 61 (now clause 56) the Council will notice that all that is laid down there is that the views of the district magistrate will be considered, not necessarily accepted, but will only be considered. My amendment suggests that in case of supersession, the concurrence of the chairman of the district board may be obtained. Therefore, I submit that instead of the amendment which has already been accepted, the necessity remains. I can quite understand the disinclination on the part of the divisional commissioner to obtain the concurrence of the chairman of the district board, but, my Lord, if we are to make local self-government a success, such disinclination should be discouraged. For that reason, my Lord, I venture to think that my amendment ought to be accepted."

The motion was then put in the amended form and lost.

AMENDMENT No. 157.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved that after sub-clause (*2*) of clause 61 (now clause 56) the following be inserted, namely :—

"(*3*) An appeal shall lie to the local Government from an order of supersession of a union board within such period and in such manner as may be prescribed by rules under section 111."

Maulvi A. K. Fazl-ul Haq.

He said :

"My Lord, it has been a matter of the deepest regret to me that owing to a sudden indisposition I have not been able to take my share in the discussion on the Bill during its passage through this Council. Perhaps the Council have to be congratulated on what might possibly have been a curse, but to me, my Lord, the disappointment has been very great and I crave your Excellency's pardon for having said something by way of personal explanation before saying anything on the amendment which stands in my name.

The amendment which I propose is that in case of an order of supersession having been passed either by the district magistrate as originally proposed or by the divisional commissioner as has now been accepted, in consequence of the amendment that has been moved by the Hon'ble Babu Kishóri Mohan Chaudhuri, the order of supersession shall be subject to an appeal to the local Government. I do not think I need take up the time of the Council by discussing the broad principles on which all rights of appeal are based. Briefly stated all human tribunals are more or less imperfect ; and an order against which there is no right of appeal carries with it a sort of finality, which ought to attach to the decisions only of infallible tribunals. We may concede at once that this power of superseding the activities of the union board by an order of the divisional commissioner shall be very sparingly exercised and even if it is exercised at all, it will be exercised with the utmost care and caution. But after all, my Lord, an order of supersession may be found to be on enquiry not justified, and if no power is given to a higher tribunal to revise that order, the effect will be that there will be a wrong without a remedy. The right of appeal does not and cannot cause any reflection on the tribunal against which the right of appeal is given. Instances are not wanting in which the very tribunal against which the right of appeal is provided, itself gives the permission for the aggrieved party to appeal. I can mention, for instance, the case in which the High Court certifies against its own judgment that an appeal to the Privy Council is allowable. Therefore, so far as the divisional commissioner or any other authority who passes an order of supersession is concerned, there can be no reflection on him if the right of appeal is permitted. Secondly, a right of appeal gives to an aggrieved party a chance of taking the matter up to a higher tribunal, and having the facts examined by a second party, and thereby there is some sort of consolation to the aggrieved party that after all the order might perhaps have been justified. If the right of appeal is taken away, the party who is given the power to pass an order which carries with it this amount of finality, is led by the very fact of there being no appeal, to act in an arbitrary manner. My Lord, within the last few months, there have been several cases in which orders of supersession have been passed against certain municipalities. These orders have been passed by no less an authority than the local Government itself, and although we need not discuss whether these orders were justified or not, there can be no question that these orders have provoked an amount of protest from public bodies, and almost all the parts of the country affected by these orders thought that in one case, at any rate, the order of supersession should not have been passed. What will happen if an order of supersession is passed by the divisional commissioner and there is no right of appeal to the local Government? How are the aggrieved parties to vent their grievances and acquaint the local Government of what they have got to say in the matter. Supposing they send in a petition to the local Government, the section does not provide the local Government with any power of cancelling the order of supersession passed by the divisional commissioner. Secondly, I would ask Hon'ble Members to read that sub-section and they will find at once that although in an order of supersession a time-limit can be fixed, there is no limit again to the time-limit. What I mean is this : supposing the commissioner passes an order superseding the

union board for a period of 10 years. Who is going to restrict his hands who is going to rectify the wrong? Supposing, so far as that particular matter is concerned, an order has got to be set right, who is going to do that, under what authority is it to be done? Thirdly, I would ask the Hon'ble Members to examine clause (*a*), as regards which we have not said anything, for my hon'ble friend, Mr. Mitter, who has just moved an amendment in connection with this section, has not said anything as regards sub-clause (*a*). I have not thought it proper to move any amendment as far as that sub-clause is concerned, because the district magistrate or the divisional commissioner or any other authority may remove, if necessary, the president of the union board. There, only an individual is concerned; it does not raise any question of principle, and I do not think it would be right and proper to take away the power of the commissioner or the district magistrate to remove the chairman through whose neglect of duty the work of the union board might suffer, but when we come to the supersession of the activities of a corporate body, like that of the union board, there the questions that arise are of a far more serious character, and it is only when the rights of the union board as a body are affected, by an adverse order passed by the commissioner, that I recommend that an appeal should be provided for, and to no less an authority than the local Government. Briefly stated, therefore, my reasons are these: In the first place, all orders ought to be, as a matter of principle, subject to appeal, so that they may be set right if there is something wrong; and, secondly, this provision to prefer an appeal does not cause any reflection on the authority over whom a right of appeal is given. Thirdly, the section is so worded that if the commissioner passes an order without fixing a time-limit, there is nothing in the section to set at least that kind of wrong right, and, fourthly, the supersession of the activities of the union board affects very seriously the rights and privileges of a corporate body and should always be subject to revision by a higher authority. I do not think, my Lord, that in moving this amendment I need say anything further."

The Hon'ble Sir Henry Wheeler said:—

"My Lord, we are all glad to see the Hon'ble Maulvi Fazl-ul-Haq among us to-day, though possibly for the reason that he was absent for the last two days, he has supported his amendment at greater length than will characterize my reply. I oppose the amendment as being unnecessary, and as being framed with a want of sense of proportion of what the issues at stake really are. It seems to me that a rather unexpected result may have followed from the Select Committee suggesting the adoption of the term 'union board' instead of 'village committee' as in the original Bill. We are accustomed to 'boards' as indicating bodies of some magnitude and importance, and possibly the use of the same term in connection with these unions has conveyed a similar impression in relation to the union board. But it is an erroneous impression. I have already referred to the scope and the functions of these boards; they will, in fact, be glorified panchayets, though we hope that they will be panchayets which will be more useful and satisfactory than were the existing chaukidari panchayets, while they will have greater scope for beneficial activities than the present union committees. But, in essence, these union boards will be small village bodies. In the event of their going entirely off the rails, some power has to be taken to curtail their functions, and I submit that it is not unreasonable to allow that power to be exercised by the Divisional Commissioner, and that it is entirely out of proportion to ask the Governor in Council, sitting here in Calcutta, to intervene in a matter of this kind."

Rai R. C. Pal Bahadur; The President.

he Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I desire to say a few words on this motion. I regret that his motion, which has been moved by my hon'ble friend, Mr. Mitter, is not to e accepted, as I hoped that it would be accepted, following the precedent of esterday when some of his motions were accepted. We had, however, the isfortune of losing all our amendments."

he President said :—

"We are now discussing the Hon'ble Maulvi Fazl-ul-Haq's motion lo. 157 and not the Hon'ble Mr. Mitter's motion. The Hon'ble Member hould therefore confine his remarks to the motion before the House."

he Hon'ble Rai Radha Charan Pal Bahadur (continuing) said :—

"Coming to the Hon'ble Maulvi Fazl-ul-Haq's motion, I think I have eard with great care and attention the reply of the Hon'ble Sir Henry heeler. I find he says that union boards will be glorified panchayets, aving greater scope for increased activities than the union committees and iat as they will be small village bodies there ought to be a sense of propor-on between district magistrates and sub-divisional magistrates. Subse-ently an amendment has been accepted providing that the sanction of the visional commissioner should be obtained before passing an order and that such small matters the local Government should not be troubled. I think may go back to the history of the question because although it may be well iown to the official members, it may not be known to the members on this de of the House; and I may state that before 1908 under the then existing ct the power of superseding these union committees, which are now to be ansformed into glorified union boards with larger scope and activities, sted in the district board—and not in the district magistrate, nor in the visional commissioner, but in the local Government. In 1908 the Act as amended and under a certain section of the Act it was enacted that if a strict board or local board or a union committee was not competent to rform the duties or persistently made default in the performance of duties iposed on it by or under this Act, the local Government may by notification ecifying the reason for doing so supersede such district board, local board union committee for a period to be specified in such notification. This is Act, my Lord, of this legislature which will remain in force until this Act passed. It will thus be seen that before that a much less glorified body, ith smaller powers, used to be superseded not by the district magistrate r by the divisional commissioner but by the local Government; and the cal Government which thereafter in this province was transformed into a esidency Government by a subsequent amendment of the Bengal Act, must taken to mean the Governor in Council. Therefore, my Lord, the overnor in Council up to the present time is the only authority which could persede such a small body as the union committee. It will thus be seen at here we have got the existing Act in our favour and this is a year of ogressive reform. The result of the legislation is that the district magis-ate with the sanction of the divisional commissioner will supersede these ion committees although they will be much expanded. I appeal to your xcellency to consider whether having regard to the march of intelligence in is country and the genuine efforts made by Government to bestow self-vernment upon the people, this piece of legislation will be considered as a orm towards progress or of retrogression. Then, my Lord, I do not know iat is opposed. What I ask for is that an appeal may be allowed to the

local Government; the local Government will no doubt consider the reasonableness or unreasonableness of the order of the district magistrate. The district magistrate is not always an infallible person and the local Government presided over by your Excellency or your Excellency's successor, and assisted by the cream of the service which rules the land, will surely be in a much better position to exercise judgment than a district magistrate however good and able he may be. Therefore, my Lord, I think when we the people of this country, the subjects of the British Empire, seek that we should have the right of appeal to the highest representative of the Crown in our own Presidency, why should we be kept out and said that 'our sub-agent must decide and you must submit to his order.' Are we not subjects of the British Crown? It is in this view of the matter that I pray that this amendment may be accepted, so that we may be able to approach your Excellency with an appeal whenever necessary."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I wish to add only one word in support of this amendment. The order of supersession is the extreme penalty which can be imposed under an Act of this kind and where the sentence is so very severe I do not see why there should not be an appeal. It does not derogate the authority and the position of the Commissioner or that of the Magistrate. It is an universal proposition that in case of an extreme sentence even the worst offender is entitled to an appeal. If the power of supersession had been reserved in the Government as the power now is there would have been no complaint. In fact by this Bill we are going to delegate that function to an inferior officer of Government. In that case I think it is only just and fair that there should be a right of appeal for the union boards. Our recent experience has shown that the sentence of supersession whether rightly or wrongly passed is strongly resented by the people, and I hope if not for anything else, at all events for the satisfaction of the people Government would act wisely to give this right of appeal. It will not take much of the time of the Governor in Council, as there will be very few cases of this character. Then why create the dissatisfaction of the people by making the order of a magistrate subject to Commissioner's sanction final. My learned friend, Hon'ble Maulvi A. K. Fazl-ul-Haq, only wants that there should be a right of appeal. I think that this is a very reasonable modification of the present clause which I hope the Hon'ble Sir Henry Wheeler will still see his way to accept."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, in the first place, I should like to draw your Excellency's attention to clause 1, sub-clause (*3*), of the Bill, under which the local Government may, by notification, withdraw this Act from any district or part of a district. So far as sub-clause (*b*) of clause 61 (*1*) (now clause 56) is concerned, what does it really amount to? It really withdraws for the time being the Act from that part of the district, superseding the board for a period to be specified in the order. I doubt very much whether the Act can take away the power from the local Government; supersession of the board for the time being means nothing short of the withdrawal of the board. That is a matter for the Government to consider before this amendment is further resisted. In the second place, it strikes me that a provision like this made for right of appeal to the Government should automatically be acceptable to Government, if for no other reasons than for reconciling public opinion and making the work of self-government smoother in this country. I do not know

whether these sentiments that the authority to be initiated under this Act relates to a very small measure of self-government with regard to what may be called *glorified panchayets* has found expression before or not. I do not appreciate this sentiment and would rather deprecate it. Well, my Lord, the panchayets in the olden days was a very big institution. It may have degenerated in the immediate past; and if we are really to interest ourselves in glorifying that once 'glorious' institution which was one of the features of previous administrations, we are justified in belittling it. But, my Lord, I think that what we propose to inaugurate is something more than a glorified panchayet. Judging by the great interest displayed by your Excellency in its inception and judging from the speeches of the Hon'ble Members introducing the measure in this Council from time to time, I should think that we are laying absolutely the first stone of the great structure of self-government that is coming. When it was urged by some that it might as well stand over till the Reform Scheme was matured, it was pointed out—with force—that it is right that, pending the Reform Scheme, we should be ready with the concrete foundation for the inauguration of the great measure and take the first steps that would make the success of that measure assured. It was from that point of view that we have so long been approaching this measure; and if what we have so long been maturing it was nothing more than a 'glorified panchayet', as Sir Henry Wheeler has said to-day, I do not think that the time and attention that this Council and the various select committees have been well spent. To my mind, this measure is really and truly a great measure and it ought not to be deprecated in the way it has been this morning.

My Lord, I do not wish to labour this point beyond submitting that having regard to the various diverging interests that will arise from time to time and to the strong appeal that was made, your Excellency's Government should have at least thought that it would be graceful on the part of the Government to accept the amendment."

The Hon'ble Mr. Provash Chunder Mitter said :—

"My Lord, there is one aspect of the question to which I should like to draw your Excellency's attention. It is true that a large number of these union boards will concern themselves with the administration of a small force of men but it is equally true that a fair number of them will be concerned with the administration of a considerable force of men. There will be a number of these union boards which will deal with sub-divisional towns which will have bazars and big *hâts*, and will be in receipt of an income of not less than eight to ten thousand rupees. I understand that it is the policy of Government that with regard to very small towns it is very desirable to have union boards and union committees than to have the application of the Bengal Municipal Act and therefore the suggestion which I venture to throw out is whether or not it is possible to make a distinction between the more important of those union boards—say union boards having an income of Rs. 2,500 and those having a less income."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I desire to speak a few words in this connection. There is a deep impression in the minds of the people that whenever their grievances

are not redressed, they would like to submit a memorial to the *Lat Sahib* for redress. If we look, therefore, to the impression of the people, we can very well understand that everybody desires that there should be a right of appeal to your Excellency's Government and why should this desire of the people be not allowed? This is a matter which demands your Excellency's consideration. Now, so far as the position of affairs goes, we understand that the decisions arrived at by the subordinate officials of Government ought to be controlled by your Excellency's Government, not in all cases but in many cases. If that be the view, then it is a matter which ought to be considered. The union boards are for the first time introduced in our province and if any decision is arrived at by the subordinate officers of your Excellency's Government, is it not fair, just and proper that the Government—the highest official of that Government—should take that into consideration, namely, look into the matter? My Lord, I speak from my personal experience that the people of this country wish that such matters ought to be taken into consideration by the highest official of Government, and in this view of the matter I support the amendment."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I did not know that the joys and sorrows of poor rustics—their homely joys and their destinies obscure—were so very insignificant as not to be worthy of consideration at the hands of the high officials of Government. I had an idea that by this Village Self-Government Act high privileges and rights were going to be conferred on these institutions; but we are told practically that these institutions would be nothing but 'glorified' nonentities —so insignificant in fact that the members of your Excellency's Government cannot condescend to hear an appeal if an order is passed by a subordinate authority suspending their activities for a period, the length of which is to be determined by the authority passing the order without any restrictions as to what that period is going to be. If these bodies are really so very insignificant as that, why not leave the order of supersession to be passed by the district board; why trouble the district magistrate and the divisional commissioner again; why not place the union boards entirely subject to the control of district boards—for the district boards to look into their working, to pass an order and do whatever they like and if necessary without any right of appeal to a higher authority. I submit, my Lord, that in the original draft of the Bill itself, there was something, if not actually a provision for a right of appeal, or at least something of that character. Your Excellency will notice that, in the clause as originally drafted, the order of supersession was to have been passed by the district magistrate and the power of the district magistrate was to have been exercised with the sanction of the commissioner by an order in writing. This means that although it would have been the district magistrate who would have first taken action, the action that was proposed to be taken would have been revised by a higher authority. In this particular case, the initial step is to be taken by the divisional commissioner and there is no higher authority to revise that order. I submit, therefore, that this is going back in principle upon the original draft itself. After all that has been said by Sir Deba Prasad Sarbadhikari and Rai Radha Charan Pal Bahadur, I do not think it is necessary for me to take up the time of this Council. I am not also physically fit, and I do not wish to inflict any long speech on a question like this. I will only say a few words before I resume

my seat. My Lord, suppose an order of supersession is passed and it is really resented by the people, how are they going to give vent to their grievances? Are they to run to the office of the *Amrita Bazar Patrika* and kick up an agitation and are they to lead a procession through the streets and to go on selling forbidden leaflets in order to let the Government know what the public feeling is in the matter? I submit that there ought to be some provision to allow the people to let your Excellency know what their grievances are and this can best be done by providing the right of appeal. After all, why should an order be passed and the right of appeal shut out? If the order that the magistrate or the divisional commissioner passes is just and right, why should they shrink from scrutiny? I submit, therefore that it is wrong in principle; it is subversive of all rules and orders and justice to deprive an aggrieved party from the right of appeal. I appeal to your Excellency not to reject this amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, if I wanted evidence in support of my contention that this amendment betrays a certain amount of lack of proportion in the proposal which it contains, I should produce the evidence of the speeches that have been delivered with reference to it. I still maintain that we are in danger of getting entirely out of proportion in our view of the issues involved in this matter.

As the Hon'ble Rai Radha Charan Pal Bahadur has referred to section 131 of the Local Self-Government Act and has quoted it in his favour, I would briefly state that it is perfectly true that the Act groups district and local boards and union committees in one lump, and vests the power of supersession in the local Government. I can only characterize it as one of many sections which were first framed in connection with local self-Government, which are based upon an undesirable degree of centralization, towards the removal of which subsequent legislation has been directed. A section which groups as analogous bodies district boards and union committees seems to me to be defective on the face of it.

The only other point that I would mention is as regards the curious allegation that has been made by various speakers, that we want to belittle the union boards which we are endeavouring to set up. The Hon'ble Sir Deba Prasad Sarbadhikari seems somewhat inconsistent in referring to the glorious past of the panchayets in this country, and simultaneously saying that I am belittling union boards by referring to them under that name. The accusation reminds me somewhat of an instance some little time ago when, in a published resolution, we were rash enough to say that certain officers were discharging functions of subordinate responsibility. We were then told that we had insulted these officers by that remark, and I endeavoured to clear up that misapprehension in this Council Chamber. As regards these union boards nothing can get away from the fundamental fact that their concern is with small areas, touching which they discharge minor functions and are concerned with exiguous funds. There is really no insult intended in mentioning that the circumstances of the case are of that description.

As regards the joys and sorrows of the poor villagers, which the Hon'ble Maulvi Fazl-ul-Haq charges us with disregarding, I may mention that the supersession of a union board, if it occurs at all, will be directed towards the enhancement of those joys by removing a body which has presumably failed entirely to perform the functions allotted to it."

A division was then taken with the following result :—

Ayes—19.

The Hon'ble Sir Rajendra Nath Mukerjee, K.C.I.E.
" " Sir Nilratan Sarkar, KT.
" " Mr. Provash Chunder Mitter, C.I.E.
" " Kumar Shib Shekhareswar Ray.
" " Sir Deba Prasad Sarbadhikari, KT., C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Mr. W. H. Phelps.
" " Mr. G. A. Bayley.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—20.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr. F. C. French, C.S.I.
" " Mr. J. Donald, C.I.E.
" " Mr. L. S. S. O'Malley, C.I.E.
" " Mr H. P. Duval.
" " Mr. M. C. McAlpin.
" " Mr. F. A. A. Cowley.
" " Colonel J. K. Close, M.D., I.M.S.
" " Mr W. C. Wordsworth.
" " Mr. C. F. Payne.
" " Mr. S. G. Hart.
" " Khan Bahadur Maulvi Aminul Islam
" " Mr. R. V. Mansell, O.B.E.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. L. V. N. Meares.
" " Mr. W. E. Crum, O.B.E.

The following members were absent :—

The Hon'ble Nawab Bahadur of Murshidabad.
" " Mr. Aminur Rahaman.
" " Raja Hrishikesh Laha, C.I.E.
" " Babu Siv Narayan Mukharji.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Mr. F. W. Carter, C.I.E., C.B.E.
" " Mr. H. R. A. Irwin, C.I.E.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Babu Surendra Nath Ray.
" " Mr. K. B. Dutt.

The Ayes being 19 and the Noes 20, the motion was lost.

AMENDMENT NO. 158.

The Hon'ble Babu Akhil Chandra Datta moved that after sub-clause (*1*)(*a*) of clause 62 (now clause 57) the following be added, namely :—

"(*aa*) all powers and duties of the union board under Part I shall, until such board is reconstituted, be exercised and performed by the local board."

He said :

" My Lord, this amendment and amendment No. 161. are related to each other and I propose to speak on them together and it is for your Excellency to decide whether they should be put to the House separately or together. In case of the supersession of an union board the question is which body shall

carry on the work of the superseded body. This Bill is divided into two parts —Part I and Part II. Part I deals with the municipal functions and Part II with judicial functions of the union board. So far as the municipal functions are concerned it is only proper that in case of supersession of an union board, they should be carried on by the local boards. But the matter stands on a different footing when we come to the judicial functions. Therefore, I propose that the powers and duties of the union boards under Part I of the Bill should be carried on by local boards and those under Part II should be carried on as under sub-clause (*b*). That, my Lord, is my submission."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this clause deals with the distribution of the powers and functions of the union board in the event of its supersession, and it provides that these powers and functions shall be exercised and performed by such local authority, person or persons, and in such manner, as the district magistrate, with the sanction of the Commissioner, may direct, and we framed it in that way so as to give a certain amount of elasticity in distributing the different duties with which these boards may have been concerned. My objection to accepting amendment No. 158 is that it would finally vest all powers under Part I in the local board, whereas Part I contains many functions with reference to chaukidari administration, with which, as I have frequently argued during the last two days, local boards are not concerned. It would not therefore be proper that, even on the supersession of the union board, the local board should step into its shoes in regard to chaukidari matters.

The Hon'ble Member has also referred to his second amendment, No. 161, although it is governed by different considerations, and it may save time if I also state the objections to them now. There seems to be some misapprehension underlying it. What the Hon'ble Member has in his mind is that along with the supersession of the union board, all powers under Part I should vest in the local board, while those under Part II, which deals with judicial functions, should vest in persons to be decided as in the clause as at present drafted. But I may point out that the powers exercisable under Part II are not powers of the union board; they are powers of the union bench and of the union court. If the board is superseded there will be no members of the board, and therefore there can be no bench or court, which is made up of members of the board. Therefore there is a fallacy in the reasoning of the Hon'ble Member as regards the second amendment, and I cannot accept it."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"I think my hon'ble friend is under a misapprehension. The fact of supersession will not certainly affect the criminal bench or the civil court in any way. They will remain as they are and I do not see the necessity of the second amendment proposed by my hon'ble friend. As I said a short time ago in connection with amendment No. 155, the bench and the court will be appointed by an order of the local Government. That being so, no order of supersession by a subordinate authority can touch them. They will, of course, be formed by appointment from among the members of the union board, but if the union board is abolished it does not follow that the court and bench should also be superseded because the appointment of the latter lies with the local Government and, of course, the district magistrate or the divisional commissioner cannot turn them out by saying that we abolish the court and bench."

The Hon'ble Babu Akhil Chandra Datta said :—

"As regards amendment No. 161, I must admit that there was some fallacy underlying it which has been pointed by the Hon'ble Sir Henry Wheeler, but which did not occur to me before. I now see that it is unnecessary and I am fully convinced by the arguments of the Hon'ble Sir Henry Wheeler. Therefore, I would not press amendment No. 161. But, as regards the other amendment, I take my stand upon the arguments advanced by the Hon'ble Sir Henry Wheeler himself who says that Part I, among other things, also deals with the chaukidari function, and so far as that particular function is concerned it cannot be exercised by the local board in case of the supersession of an union board. So far as that statement goes I am quite prepared to concede that it is quite correct. But at the same time I may point out that Part I includes other functions also—I mean the municipal functions—functions which are more important than chaukidari duties, sanitary improvements, primary education, medical relief, conservancy, drainage, etc. So far as these functions are concerned, according to the line of argument followed by Sir Henry Wheeler, they should be more appropriately exercised by the local board in case of a supersession of the union board. Therefore, if I may be permitted by your Excellency, I would like to slightly modify my amendment on these lines. My proposition is this—that so far as the municipal functions are concerned they will be carried on by the local board leaving out the other function, namely, the chaukidari function mentioned in Part I. I am entitled to do this as I am not asking for more than this amendment involves."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I think I can satisfy the Hon'ble Member without the modification of his amendment. All powers and duties under this clause can be made over either to a local authority or to a person or persons, and we inserted the words 'local authority' in order to render it possible to make over the municipal functions of the union board, it may be, to the local board or to an adjoining union board. These municipal functions will ordinarily be made over to the local board, and under the clause as framed it will be perfectly possible to do so. If, as I understand, the Hon'ble Member wishes to ensure that these municipal functions must be made over to the local board, that can be done under the present Bill, but I strongly deprecate inserting other words as he now suggests, since we have no time to scrutinize the whole Bill with the view of appreciating their precise bearing."

The President said :—

"In view of what the Hon'ble Sir Henry Wheeler has said, I think the Hon'ble Member had better move his amendment in the form in which it appears on the paper."

The motion was then put and lost.

AMENDMENTS Nos. 159 to 161.

The President said :—

"Nos. 159 and 160 are covered by the decision on the former amendment, and I understand the Hon'ble Member wishes to withdraw No. 161."

The following motions were then deemed to be withdrawn :—

The Hon'ble Babu Surendra Nath Ray to move that after the words "union board", in line 1 of sub-clause (*1*) (*b*) of clause 62 (now clause 57), the words "under Part I", be inserted; and for the words "such local authority, person or persons, and in such manner, as the district magistrate, with the sanction of the commissioner, may direct, and", in lines 3 to 7 of the same sub-clause, the following be substituted, namely :—

"the local board within which the union board is situated, and under Part II by a nominee of the district magistrate."

If motion No. 159 be carried, **the Hon'ble Babu Surendra Nath Ray** also to move that sub-clause (*1*) (*c*) of clause 62 (now clause 57) be omitted.

The Hon'ble Babu Akhil Chandra Datta to move that after the words "union board" in line 1 of sub-clause (*1*) (*b*) of clause 62 (now clause 57), the words and figures "under Part II" be inserted.

AMENDMENTS Nos. 162 AND 163.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, No. 162 and No. 163 which stand in my name are exactly the same, and therefore I am taking them together."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, when I was examining these amendments, they seemed to me to be consequential, as I thought they followed the Hon'ble Member's desire to replace the district magistrate by the district board. But in any case, whether consequential or not, I do not think they are an improvement, as if the power of supersession rests with the district magistrate, with the sanction of the Commissioner, and we have now vested it in the Divisional Commissioner, it is only reasonable that the distribution of the superseded powers should equally rest with the executive authorities. The district board will not come into the act of supersession, neither should it properly come in under the distribution of the superseded powers, particularly since with chaukidari matters the district board has no concern."

The President said :—

"I was just going to raise that point. I think as a result of the amendment made in clause 61 (now clause 56), we ought strictly speaking to make a similar amendment in 62, and in place of 'the district magistrate, with sanction of the commissioner', to insert the word 'commissioner'. Under these circumstances, we had better come to a decision upon the Hon'ble Member's amendment, and if that amendment is not carried, I will ask Sir Henry Wheeler to move the amendment which I have suggested."

The motions were then put and lost.

They were as follows :—

The Hon'ble Babu Akhil Chandra Datta to move that for the words "district magistrate, with the sanction of the commissioner" in lines 5 and 6 of sub-clause (*1*) (*b*) of clause 62 (now clause 57), the words "district board" be substituted.

The Hon'ble Babu Akhil Chandra Datta also to move that for the words "district magistrate, with the sanction of the commissioner" in lines 4 and 5 of sub-clause (*1*) (*c*) of clause 62 (now clause 57), the words "district board" be substituted.

The Hon'ble Sir Henry Wheeler said :—

"With your permission, Sir, I will now move in consequence of the amendment in clause 61 (now clause 56) which has been accepted by the Council, that in clauses 62 (*b*) and 62 (*c*) (now clause 57), the words 'district magistrate, with the sanction of the commissioner,' wherever they occur, should be replaced by the word 'commissioner'."

The motion was put and agreed to.

AMENDMENT No. 164.

The Hon'ble Babu Akhil Chandra Datta also moved that for the words "the district magistrate" in line 1 and in line 7 of clause 63 (now clause 58) and for the words "such magistrate", in line 4 of clause 63 (now clause 58), the words "the local board" be substituted.

The Hon'ble Sir Henry Wheeler said :—

"This is the clause which gives power to suspend the action of a union board in case of emergency, and it vests that power in the district magistrate or the district board. Under section 124 of the Local Self-Government Act the corresponding power is exercised by the magistrate of the district or the commissioner. In the Bill we have introduced the district board, and to that extent we have recognized the desire to emphasize the position of the district board in connection with the supervision of union boards, but this amendment now asks us to go further. It asks us to take out the district magistrate entirely, and to substitute in his place the local board. In other words, it would eliminate all outside right of intervention by the district magistrate, in the event of the doing of an act which in his opinion was likely to cause injury or annoyance to the public, or to any class or body of persons, or to lead to a breach of the peace, and I submit that the intervention of the district magistrate in such a contingency is amply justified by his position in the district and the responsibilities which devolve upon him. He is essentially the man who is concerned with these considerations, and I cannot see the wisdom of eliminating him from the right to see that these considerations are not endangered by any improper action on the part of the union board."

The Hon'ble Babu Akhil Chandra Datta said :—

"I have nothing further to say."

The motion was then put and lost.

AMENDMENT No. 165.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that for the words "or the district board", in line 1 of clause 63 (now clause 58), the words "on the recommendation of the district board to that effect"' be substituted.

He said :

"By this amendment I rather wish to restrict to a certain extent the power of the district board. Clause 63 (now clause 58) as it stands provides for dual-control either by the district magistrate or by the district

board. But I think it would be better if the district magistrate be the final authority, and I would like to leave the initiative to the district board. My object is that there should not be any difference of opinion between the two authorities. In most cases the magistrate is the real authority, but in this case, instead of acting independently, I want him to act on the initiative of the district board, which is more concerned with the working of the union board. That is all I have to submit, my Lord."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I doubt if the Hon'ble Member has correctly represented the effect of his own amendment. As I understand him, he says he wants to avoid the dual control which now exists in the clause, under which, as framed, the district magistrate or the district board may take action, but if we accept the amendment which he suggests, the clause would run 'the district magistrate on the recommendation of the district board may, etc.,' the practical result being that oven if it appeared to the district magistrate that injury or annoyance is likely to be caused to the public, or a breach of the peace is to be apprehended, he would not be able to move without the recommendation of the district board. My objection to this amendment is similar to that which I took in connection with the previous amendment, viz., that this is a matter in which the district magistrate is acutely interested and in which he should have an unfettered hand to intervene if he thinks it necessary."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"I have nothing further to add, my Lord."

The motions was then put and lost.

AMENDMENTS Nos. 166—169.

The following motions which were held to be covered by decisions on previous amendments were deemed to be withdrawn :—

The Hon'ble Babu Akhil Chandra Datta to move that for clause 65 (now clause 59) the following be substituted, namely :—

> "65. When the local board makes any order under section 63, such board shall forthwith submit to the district board a copy of the order, with a statement of the reasons for making it and with any explanation which the union board concerned may wish to offer, and the district board may thereupon confirm, modify or rescind the order."

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the words "or the district board", in lines 1 and 2 of clause 65 (now clause 59) the words "on the recommendation of the district board to that effect" be substituted.

The Hon'ble Babu Kishori Mohan Chaudhuri also to move that for the words "the magistrate or board, as the case may be", in lines 2 and 3 of clause 65 (now clause 59), the word "he" be substituted.

The Hon'ble Babu Kishori Mohan Chaudhuri to move that after clause 65 (now clause 59) the following be inserted, namely :—

"65A. Whenever the district magistrate or the divisional commissioner passes any order under this chapter either in the first instance or upon revision, he shall forthwith transmit the whole record of the case to the local Government, who may thereupon confirm, modify or rescind the order."

AMENDMENT No. 170.

The Hon'ble Babu Akhil Chandra Datta moved that for the words, "all or any", in line 3 of clause 74 (now clause 65), the words "any three or more" be substituted.

He said :

"My Lord, clause 74 (now clause 65) relates to the constitution of the union bench. Under the clause as it stands even a single member can form a bench. In view of the fact that the decisions will be summary and final and not governed by the procedure laid down by the Civil and Criminal Procedure Codes, my contention is that it would not be safe to have the bench constituted of a single member only. It is said there is safety in numbers and in that view I propose that the minimum number of members constituting the union bench should be three."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, as two other Hon'ble Members have similar amendments, I may briefly explain the position. It is perfectly true that under clause 74, (now clause 65) as it stands, the local Government may appoint all or any of the members of the board to be members of the bench, and that, therefore, it would be possible to constitute a one-man bench. It is also true that the members of the District Administration Committee seem to have contemplated a bench of several members, as they observed in paragraph 133 of their report as follows :—

'The other members of the Bench should ordinarily be appointed from among the members of the panchayat, and three should form a quorum for the disposal of case work.'

It would follow that if three was to be a minimum quorum we could not have a one-man bench. We considered this point in Select Committee, and opinion was not altogether unanimous with regard to it; but we eventually came to the conclusion that the change was a substantial one, which should be left to the consideration of the Council. The arguments in favour of a bench is, of course, that collective opinion is thereby secured; and when we are constituting a judicial tribunal the proceedings of which will be somewhat informal, as compared with those of the regular courts, it may be desirable to retain that collective judgment as a corrective to any possible errors of one member only. That is the argument for the amendment as I understand it. On the other hand, if we require that the bench *must* consist of three men, it may hamper the extension of the system, in so far as, while in some parts it may be possible to find one, or

even two, men fit to exercise these powers, it may not always be the case that we can find the minimum of three ; also, in subsequent stages of judicial hearings, it is more difficult and more complicated to get three men together at one time and place than it is to call on one man. These are the considerations which strike me on the other side ; and I would adopt the attitude of the Select Committee and say that we are perfectly willing to leave the matter to the decision of the Council."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, as I gather from the Hon'ble Sir Henry Wheeler, he is not keen about retaining a provision as regards the constitution of the union bench and leaves it to the decision of this Council. As the Hon'ble Member has said there is much to be said in favour of the collective wisdom of a body of men than the judgment of a single individual, and as the members of the union bench are not likely always to be men of judicial experience it is better to put 2 or 3 — 3 would be preferable—on the bench, and as regards the difficulty in securing the requisite number, I think if we find three persons suitable for the union board they might as well serve on the union bench, or if there be any such difficulty we need not have the bench at all. The safest thing is to have three persons on the bench, and I would, therefore, support the Hon'ble Babu Akhil Chandra Datta's amendment."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have a similar motion in which I suggest that the words 'at least three' be substituted for the words 'any of the'. My reason is that such a kind of trial is like a trial by jury, and we therefore ought to have not one member but at least three. If we take two, the decision will be unsatisfactory, in case of difference of opinion. If we take at least three, the decision of the jury will be satisfactory. So my Lord, if a bench is to be formed, as the language of the clause is, then a bench consisting of one gentleman will not be satisfactory. It is, therefore, necessary that due attention should be given, I submit respectfully, to the suggestion which I have put before the Council. My Lord, if it be argued on the other hand that competent men to form the bench are not available, then, I submit respectfully, that the whole scope of the Bill will be frustrated. It is with this view that we put before the Council that men of educational qualification should come to the bench. Being a mufassal man, I am sensible of the fact that there may be places where this difficulty will arise, but in that case it is necessary to see whether such a bench can be formed or not. If such a bench cannot be formed, then, I submit the bench of one man will not be sufficient for the purpose and the whole idea will be imperfect. It is with this view perhaps that the framers of the Bill thought it necessary to put in it the elastic expression 'or any'. But, my Lord, if the object of Government be that in every union a bench is to be formed, it will be necessary to strengthen the body of the members of the board. How can that be done? I submit that if the villagers are to depend upon the decision of one man, it will be far better to go to the munsif and to have a decision from him—a trained lawyer. If we are to depend upon the decision and judgment of a man who is an untrained lawyer and not cognisant of the principles of law, depending solely upon his own common-sense, the judgment of such a man will be unsatisfactory whatever it may be. I, therefore, submit respectfully that the Council will consider the desirability of having such an expression as 'at least three'."

The Hon'ble Mr. Hart said :—

"My Lord, may I rise just to explain why I am unable to vote for this amendment. I did not rise to speak before because I thought that the Hon'ble Babu Kishori Mohun Chaudhuri would move his amendment (No. 172). I wish to point out to this Council that in the practical working of union benches there would be considerable difficulty in securing a quorum of three. The ordinary practice in the mufassal is for a bench of honorary magistrates to be constituted of two members; and unfortunately a great deal of delay occurs in the trial of honorary magistrates' cases, owing to the fact that the two members who start a particular case can be very seldom got together on the subsequent days to which the case may be adjourned. In the case of union benches, it is very desirable that the case should be tried and disposed of in one day; but sometimes that will be impossible. Difficult as it is to reassemble a bench of two, the difficulty with a bench of three will be far greater, and if we are now to insist that at least the same three members of the bench who begin the hearing of the case must hear it right through to the end, it will result in very great delay and trouble to the parties concerned. For this reason, I am unable to vote for anything more than a bench constituted of *two* members. I may say that in other provinces the same difficulty has been experienced and I may be permitted to quote one instance. In the Report of Civil Justice in the Punjab for 1916, the following occurs :—

> 'At present, there are no honorary civil benches in the province, the main obstacle to their constitution being the direction in section 28 (2) of the Punjab Civil Courts Act, that such benches must consist of an uneven number of members. In practice, it has been found impossible to get three or five men to meet. There seems to be no reason why two members should not form an efficient and popular tribunal.'

With this opinion, I think that most practical men, who have had experience of village life, will agree. I should like, however, just to allude to the reasons why the Bill contains the provision for a single member constituting a bench. We have, even at the present time, on certain union committees, retired members of the provincial, judicial and executive services, such as retired munsifs and subordinate judges and retired deputy magistrates; and it was thought by the framers of the Bill that where the services of such men were available, the villagers would be very pleased to take advantage of them by having them invested with single-sitting powers. However, if the Council desires that a bench should never be constituted of one member only, I do not think that there would be very much objection to a second member being always associated with him. This arrangement would have the advantage that the other member would get the experience of legal work which the retired officer would be able to give him; while on the other hand, the retired officer would gain by being associated with a colleague who would probably have more knowledge of local affairs and a clear understanding of local conditions For these reasons, I should see no objection to a minimum quorum of *two*; but a minimum quorum of *three* is, I think, a proposal so impracticable that if it were carried we shall not be able to get the union benches to work. In order that this Bill may not be a dead letter, I must vote againt the amendment as it stands 'at present'."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I am quite prepared to accept the proposal of the Hon'ble Mr. Hart, about two members forming a bench; but there may be a difficulty in the event of disagreement of the two members."

Mr. Hart; Babu A. C. Datta; Sir H. Wheeler; the President.

The Hon'ble Mr. Hart said :—

"My Lord, may I explain that most benches of honorary magistrates consist of two members and I have never heard of any difficulty of that sort being experienced."

The Hon'ble Babu Akhil Chandra Datta said :—

"Very well, my Lord, I am quite prepared to accept the suggestion of the Hon'ble Mr. Hart, viz., two members constituting the bench."

The Hon'ble Sir Henry Wheeler said :—

"I have no objection."

The motion was then put in the following amended form and agreed to :—

That for the words "all or any" in line 3 of clause 74 (now clause 65), the words "any two or more" be substituted.

The following motions were then deemed to be withdrawn :—

The Hon'ble Rai Mahendra Chandra Mitra Bahadur to move that for the words "any of the" in line 3 of clause 74 (now clause 65), the words "at least three" be substituted.

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the word "any" in line 3 of clause 74 (now clause 65), the words "at least three" be substituted.

AMENDMENTS Nos. 173 and 174.

The President said :—

"Items No. 173 falls to the ground and I think that No. 174 necessarily fails because the Council have just decided that the bench may be constituted of *two* members. By this motion (No. 174) the Hon'ble Member wishes to say that it must not be less than *three;* and that would, I think, be contrary to the decision which the Council have just come to."

Amendment No. 173 was as follows :—

The Hon'ble Babu Ambika Charan Mazumdar to move that for the word "any", in line 3 of clause 74 (now clause 65), the words "as many" be substituted, and after the word "board", in line 4 of the same clause, the words "as may be necessary" be inserted.

Amendmennt No. 174 was as follows :—

The Hon'ble Babu Ambika Charan Mazumdar to move that the following be added to clause 74 (now clause 65), namely :—

> "Provided that not less than three of such members must sit together for the trial of a case, and they shall serve in such rotations and for such periods at a time as may be fixed by rules prescribed under section 111, and in accordance with rosters prepared by the District Magistrate for each union bench."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I might abide by the decision of the Council on the previous amendment and might move that not less than two of such members must sit together and so on."

The amendment was then amended by the substitution of the word "two" for the word "three".

The Hon'ble Babu Ambika Charan Mazumdar (continuing) said :—

"My object in moving this is simply this: that in all probability Government will take care to appoint more than two persons to be magistrates of a bench, but then the functions of the bench should not be confined to any two for any length of time, or at all events for the term of their office. It may be a very unpleasant information to this Council, but truth must be said in a matter of this description. One of the most important features of this Bill is the constitution of a criminal bench and a civil bench in connection with union boards and it should be the utmost effort of Government to make these courts, whether civil or criminal, to be above suspicion. Now, if any two members are required to form the bench or the court for any length of time, there is the grave danger of their losing the confidence of the public. In the villages there are factions and consequently it is necessary that there should be changes of these benches at intervals. This can only be effected by rules of Government saying that for one quarter there must be two and for the next quarter another two, and there should be rosters prepared by the district magistrate as are prepared by him in the cases of benches of honorary magistrates, so that there may not be any fixity of the persons who are to try these cases: that will be a safeguard against these corruptions. I may tell this for the information of the Hon'ble Members of this Council that something has been said about honorary magistrates, but I should like to say that outside Calcutta honorary magistrates are not above suspicion. In fact, we who practise in the mufassal are fully aware that applications are very frequently made to magistrates to transfer a case from an honorary magistrate to a stipendiary magistrate. These things are being experienced and I do not think I am saying too much that this fact is even known to some of the district officers, and I think we should take steps in the present case not to allow the honorary magistrates, as they may be called bench magistrates in this case, to have any opportunity of being vitiated in their judgment and in their conduct, and I therefore earnestly hope that their service should be by rotation and in accordance with such rosters as may be prepared by the district magistrate. There is considerable danger of having permanent benches of one, two or more persons and that would be a safeguard against corruptions. There is party feeling, party factions, and they ought to be also guarded. I think if the system suggested in my amendment is accepted it will command public faith. As 'two' has been accepted by the Council I need not press for more."

The Hon'ble Sir Henry Wheeler said :—

"Sir, there are two points involved in this amendment. In the first place the Hon'ble Mover apparently wishes to ensure that the quorum of the bench should in no case be less than two, but this seems almost to follow from the amendment which has just been accepted to the effect that the local Government may appoint 'any two or more' members to form a bench. It would scarcely seem consistent with that provision to constitute a quorum

of one. I doubt, therefore, whether the first part of the amendment is not already covered by the previous decision, and, if so, it is unnecessary. Also it could be rendered unnecessary by rules to be framed under section 111(*q*), which gives the local Government power to prescribe the method of forming a quorum. The local Government could easily say that the quorum shall not be less than two, and in the light of the discussion of to-day, I have no doubt that the local Government would adopt that line.

The second part of the amendment is, I think, open to objection on the ground that it is seeking an elaboration which will render the working of these village benches impossible. The whole idea of the village bench is that it shall be a small body, called together on a local complaint, to dispose of that complaint by simple methods and without the complications which attend proceedings in the ordinary courts. If that is the intention of the Bill, it will be entirely frustrated if we are to require these small village tribunals to serve by rotation and at such periods of time as may be prescribed by rules and in accordance with rosters to be prepared by the district magistrate. That is a procedure which is entirely inappropriate in the case of union benches, and it is inconsistent with the objects which it is intended that these benches should fulfil. Therefore I would oppose that part of the amendment on these grounds."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, clause 74 (now clause 65) of the Bill seeks to appoint a bench and not a panel of men; a bench can only be a bench. Therefore, the question raised in the amendment does not really arise."

The Hon'ble Babu Mahendra Nath Ray said :—

"My Lord, I entirely agree with Sir Henry Wheeler that the elaborate procedure suggested in this amendment will frustrate the very object of the Bill. A union board will usually consist of members of not less than six and not more than nine. The local Government will select some of the members of the union board and appoint a bench, the number may be 2, 3, and I do not think it will be more than 4 generally. It is therefore desirable that when a bench consists of 2, 3, or 4 members they should all meet, and, as has been pointed out by the Hon'ble Mr. Hart, it is difficult to get all the four men together. Therefore no question of the members of the bench working by rotation can possibly arise. It is only in districts where the number of honorary magistrates is very large, say 20 or exceeds 20, that the procedure suggested by this amendment is followed. Surely such an elaborate procedure will be out of place in regard to union benches consisting generally of 2 to 4 members. Another reason has been suggested which I am glad the Hon'ble Sir Henry Wheeler has not referred to, but which I am bound to refer to. Opinion has been expressed that if some members of the union bench are allowed to sit together without rotation, the fact that they sit together as members of the union board for a pretty length of time would affect their integrity and honesty. I am very sorry to hear such remarks made by my hon'ble friend who, I believe, represents one party of constitutional reform in this country. If a representative of those parties would come forward and tell us in Council that the representatives of the people in a board like the union board—because they are generally representatives of the people—run the risk of becoming dishonest if only they have got to do their

work without adequate interruption or intermission, I am afraid the enemies of constitutional reforms will make a very strong case against all such reforms. I am very sorry to hear such remarks made, especially because, although I do not belong to any strong political party, my own experience as a mufassal man who has to deal with a large number of honorary magistrates belies the very sad experience of my learned friend. I do not desire to discuss these matters which are very painful matters, and I hope the Council will reject this amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, following the Hon'ble Sir Deba Prasad Sarbadhikari, although I am opposing the motion, I rise to speak—and to speak for one special reason, and that is to dissociate myself, with the utmost emphasis at my command, from the observations made by the Hon'ble Babu Ambika Charan Mazumdar. The stalwart champion of reform and of the rights and privileges of his countrymen now comes forward on the eve of constitutional reforms to denounce his countrymen as unfit for the most elementary administration of justice in the most advanced Presidency of India. I must say that the work of the honorary magistrates as a whole in this Presidency has been one which has merited approbation not only from the Government but from the people.

Then, my Lord, coming to the merits of the resolution itself, I fully associate myself with the observations of the Hon'ble Sir Henry Wheeler and the Hon'ble Mr. Hart. From what we know of the comparative backwardness of a considerable portion of our countrymen in the far distant and remote villages, I think it would not be advisable to make such an elaborate procedure for benches by routine, etc., as there may be many places in the mufassal where the requisite number of capable men may not be found. For these reasons, I think, that it will be well to reject this amendment."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, it has given my friends to the right no more pain to hear me say something about honorary magistrates than their expression has given me. I know abuse is no argument, and I must say that I may belong to one political party in this country from which many of my friends are perfectly free. It may be that I have always in my life strongly advocated for reforms, but I do not belong to that class of advocates of reforms who would not speak the truth when it is necessary to be said in order to rectify an abuse in the administration. That because I have advocated and I still advocate reforms in this country and therefore I am bound to say that there is no corruption and everybody in the country is a saint and no institution can be tainted—that is not my position and that is not a position which I have at any time assumed nor I hope shall I assume till I am removed from this world. On the contrary I will press the defects of any system, the defects in the constitution of our social organism and so forth and try to remedy them as far as practicable. If there is any Reform Scheme coming and at the supreme moment I say that there is corruption in some parts of the country, therefore the Reform Scheme will be thrown out is a proposition which may be advanced by men who are perfectly unconcerned with political agitation, but that is not a position which I can ever assume or think of. The thing is that fact is fact. I have said that I know something about the work of honorary magistrates in the mufassal, but I do not cast any reflection on the honesty or integrity of the honorary magistrates of Calcutta, but I know that the

honorary magistrates in the mufassal are not free from suspicion. If that is a truth then I am entitled to speak without any fear of the Reform Scheme being wrecked on that account. Well, it may be that the experience of my hon'ble friend living at Howrah may be different, but if anybody is to give his honest opinion and says that there are corruptions and that a man utters the word corruption is sufficient to abuse him and throw him out of his political creed and political party. Well, that is a position which I cannot appreciate. However, I have said that the procedure will not be at all elaborate. The thing is, as my hon'ble friend, Babu Mahendra Nath Ray, has told us, that the number of magistrates vested with criminal powers will not be many. Of course, in a union there may be six or nine members. My idea is that Government may vest magisterial powers upon all the members of the board and then ask them to serve by rotation or according to the roster prepared by the District Magistrate—in fact by permutation and combination. Different sets of magistrates may serve in different quarters in the year. However, I have placed this amendment, whether it is elaborate or not I don't know. My object is to improve and purify these benches so as to make them such as to command public confidence and respect. Some of the hon'ble members have criticized my amendment and they are, of course, perfectly entitled to their own opinion."

The motion was then put and lost.

AMENDMENT No. 175.

Clause 78.

The Hon'ble Babu Akhil Chandra Datta moved that the words "or, if in the opinion of the bench, he shows negligence in prosecuting his case", in lines 2, 3 and 4 of clause 78 (now clause 69) be omitted.

He said :

"My Lord, clause 78 (now clause 69) relates to the dismissal of a case for default before a union bench. Now it appears to me that this provision is very vague and ill-defined. The words are 'if in the opinion of the bench he shows negligence in prosecuting his case'. Now, negligence may be considered differently by different persons and on a flimsy excuse a case may be struck off for default. Not to speak of these union benches, even in munsifs' and sub-judges' courts and, I am sorry to say, even in sessions courts cases are sometimes struck off on flimsy excuses. For instance, if there is a case fixed for a certain day and for some unforeseen reasons the case is adjourned to another day and other cases are called upon the parties to which do not appear, those cases are struck off without giving the parties an opportunity to appear. If this can happen in a responsible court, I am afraid it would be giving a very wide power to the union bench if these words are not omitted from the clause."

The Hon'ble Mr. Duval said :—

"My Lord, on behalf of Government I oppose this amendment. In many cases tried under the Criminal Procedure Code if the complainant neglects to pay court-fees, and similarly if he does not produce his witnesses or takes the proper action to get them summoned, the case can be summarily decided in their absence. Cases tried by these benches cannot be allowed to

hang on indefinitely owing to the negligence of the complainant. With reference to the remarks of the Hon'ble Mover, and as to his fears that the benches might dismiss cases without sufficient cause, I would point out that that purpose will be protected by the provision which has been laid down in a subsequent clause as to the revision by the district magistrate or subdivisional officer against any unfair dismissal of cases. I urge that the clause should remain as it stands."

The Hon'ble Babu Akhil Chandra Datta said :—

"If a certain party after being notified does not take the trouble of making an appearance then, of course, it is a fit case for dismissal. But my only objection is that the provision is very vague and ill-defined. Supposing a man has a case before the union court and supposing that for some reasons over which he has no control the case is delayed for ten or fifteen months, will it be considered as negligence in prosecuting the case? If what is to be considered as negligence is specifically mentioned there can be no complaint. What I fear is that this provision is of an extremely vague character."

The motion was then put and lost.

AMENDMENT No. 176.

Clause 80.

The Hon'ble Rai Radha Charan Pal Bahadur moved that for the proviso to clause 80 (now clause 71) the following be substituted, namely :—

> "Provided that the district magistrate or sub-divisional magistrate may, of his own motion, or on the application of the parties concerned, cancel or modify any decision or order of a union bench or direct the re-trial of any case by a court of competent jurisdiction subordinate to him."

He said :

'My Lord, clause 80 (now clause 71) bars an appeal from or a revision of the order of the union bench and only provides for a re-trial. But I think that some sort of revision of jurisdiction should be vested in the district magistrate as a check upon any possible failure of justice or vagaries on the part of the union bench. On an inquiry the district magistrate may modify or cancel the order to meet the requirements of a particular case, but if a re-trial is the only remedy it will lead to hardship. In certain cases the parties should be authorized to bring to the notice of the district magistrate instances of failures of justice and the magistrate should be authorized to make an inquiry and cancel or modify the decision of the bench. This may be the intention of the Bill, but it should be made clear. I have explained my object very briefly and I may state that as far as I understand there may be no objection on the part of Government to accept my suggestion."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, in order to explain the justification of the clause of the Bill as framed, we have to remember the kind of benches which it was sought to set up under the Bill, and the District Administration Committee gave a good summary of the opinion of the Decentralization Commission which, I think, affords a clear description of the purposes of these courts. They said :—

'The (Decentralization) Commission contemplated a system of village courts of equity, which would be freed from the observance of complicated rules of evidence and the technicalities of the ordinary legal procedure and would bring to bear on cases before them their own intimate acquaintance with village sentiment and their local knowledge of the facts. The primary objects of these village courts was not to afford relief to the regular tribunals. They were partly designed to give petty litigants the opportunity, if they wished to avail themselves of it, of settling their disputes by a simple and inexpensive procedure near their homes, but their main purpose was educative, to develop the sense of communal responsibility within the union, and to teach the people to manage the affairs of their own villages. At the same time, it was hoped that the creation of these village courts would enhance the influence of the panchayats and strengthen and encourage them in the performance of their other duties, thus gradually paving the way to the exercise by them of higher powers.'

That was the underlying sentiment when the proposal for these courts was mooted, and it follows that it is desirable to keep all matters relating to the procedure applicable to them as simple as possible. It was in pursuance of that idea that the right of appeal and revision was barred. But, on the other hand, it was thought that cases might be brought to the notice of the district magistrate and the sub-divisional officer in which a serious failure of justice had occurred which would require to be set right. Of course, an ordinary appellate court cannot only set aside an order, but can modify it, but when this Bill was framed it was thought that the procedure of the original union bench having been very simple, and there being no record, it would be difficult for the district magistrate or the sub-divisional officer to do more than say that the case must be heard over again. He could say that he was satisfied that the order passed was wrong, but he might not be in a position to pass a correct order, and would therefore have to direct the case to be sent back and be re-tried. As against that system, the arguments that have been used by the Hon'ble Rai Radha Charan Pal Bahadur are not without weight. It does seem rather hard to say that even if the district magistrate or sub-divisional officer is satisfied that a man has been unfairly convicted, he cannot remedy the justice, but that all he can do is to put the man to the trouble of a second trial. That is a defect, and I would accept that line of argument as justifying a modification of the clause on the lines proposed in this amendment. I think, however, its wording can be improved upon because we want to make it clear that the right to cancel or modify a decision would not enable the district magistrate or sub-divisional officer to convict a man who had been acquitted. That is neither desirable nor is it probably intended by the Hon'ble Member. I would also like to keep that portion of the existing clause which the Hon'ble Member has omitted, namely, 'if satisfied that a failure of justice has occurred'. That is to emphasize the point that action should be taken only in the event of a failure of justice, and not on technical irregularities which might justify intervention by an ordinary appellate court. If, therefore, the Hon'ble Member will word his amendment in this form, I would be prepared to accept it :—

'Provided that the district magistrate or sub-divisional magistrate, if satisfied that a failure of justice has occurred, may, of his own motion, or on the application of the parties concerned, cancel or modify any order of conviction or of compensation made by a union bench, or direct the re-trial of any case by a court of competent jurisdiction subordinate to him'."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I am thankful to the Hon'ble Member for accepting my amendment although in a modified form."

The motion was then put in the amended form and agreed to.

AMENDMENTS Nos. 177—80.

The following motions were covered by the decision on previous motions and were deemed to be withdrawn :—

The Hon'ble Babu Akhil Chandra Datta to move that for the words "cancel any decision or order of a union bench and", in lines 3 and 4 of the proviso to clause 80 (now clause 71), the words "uphold, reverse or modify any decision or order of a union bench, or" be substituted.

The Hon'ble Babu Surendra Nath Ray to move that after the words "sub-divisional magistrate" in lines 1 and 2 of the proviso to clause 80 (now clause 71), the words "court of sessions or the High Court", be inserted : and for the words 'and direct the re-trial of any case by a court of competent jurisdiction subordinate to him', in lines 4 to 6 of the same proviso, the words "or pass such orders as the magistrate or court thinks fit and proper" be substituted.

The Hon'ble Babu Akhil Chandra Datta to move that for the words "sub-divisional magistrate" in lines 1 and 2 of the proviso to clause 80 (now clause 71), the words "sessions judge" be substituted.

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the words "district magistrate or sub-divisional magistrate" in lines 1 and 2 of the proviso to clause 80 (now clause 71), the words "sessions judge, additional sessions judge or assistant sessions judge" be substituted.

AMENDMENT No. 181.

The Hon'ble Mr. H. P. Duval, in the absence of the **Hon'ble Babu Surendra Nath Ray,** moved that the words "nor shall any application in revision be entertained by any court in respect of any order passed by such bench" in lines 4 to 6 of clause 80 (now clause 71), be omitted.

He said :

"My Lord, now that we have provided by a previous amendment for revisionary powers of district magistrates and sub-divisional officers, these words 'nor shall any application in revision be entertained by any court, in respect of any order passed by such bench' in clause 80 (now clause 71), appear to be superfluous. I, therefore, move that they may be omitted."

The motion was put and agreed to.

AMENDMENT No. 182.

The following motion stood in the name of the **Hon'ble Babu Ambika Charan Mazumdar** :—

That before the word "failure" in line 2 of the proviso to clause 80 (now clause 71), the word "grave" be inserted.

He said :

"My Lord, do I understand that 182 goes out also?"

The President said :—

"The Council have just decided that a certain form of words is to be substituted for the proviso which appears in the Bill as drafted. That being so, it is not open to the Council to go back and alter the form of the words just adopted. Therefore it is out of order because the Council have just decided to insert the words which were contained in the amendment moved by the Hon'ble Rai Radha Charan Pal Bahadur. The Council having once decided that these are the words which are to be inserted in the Act, they cannot now proceed to make further alterations."

The motion was then deemed to be withdrawn.

AMENDMENT No. 183.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that after the words "in writing" in line 2 of sub-clause (*1*) of clause 81 (now clause 72), the words "embodying the substance of the evidence" be inserted.

He said :

"My Lord, as the trial is a small one, and as we notice that there is no appeal, therefore, the Council has to consider whether the substance of the evidence has to be omitted or not. When the District Magistrate is required to consider the decision of the bench, he will not have any material and therefore it is highly necessary that the substance of the evidence should be recorded in the decision, the simple order of dismissal or conviction will not be sufficient. Even if revisionary powers are given to the Magistrate, still in order to see whether there is a failure of justice or not, he must see whether there is evidence in connection with the alleged offence. Therefore, my humble submission is that the decision should embody the substance of the evidence. Referring to the mode of trial in the ordinary criminal court, we have got two sections, 263 and 264. In section 264 there is an appeal, and it is there laid down that the substance of the evidence is to be embodied. In section 263 of the Criminal Procedure Code, there is nothing about it, but the reasons are to be stated therein. We find that if there be simply a decision on the point, it will not be sufficient but the reasons are to be given. Consequently it is necessary that the evidence is to be embodied. I do not find in the Bill whether evidence is to be recorded or not. If the Bill is silent upon that point, it is highly necessary that some indication should be given for recording of evidence against the offender. I find further that there is no definition of the word 'decision' in the definition clause. The Hon'ble Members of this Council are aware of the fact that the word 'judgment' is not also mentioned in the Bill, consequently reasons ought to be given for decisions, and if reasons are given they must be based upon some evidence. If we refer to clause 94 (now clause 86) of the Bill, we find that when the parties or their agents have been heard, and all the evidence on both sides considered, the union court shall by written order pass such a decree . . . . . This shows that in simple cases, evidence is to be taken and considered on both sides by the union courts. We do not find anything in clause 81 (now clause 72) to this effect. I presume, therefore, that evidence will be allowed, and if evidence may be allowed then in that case it is necessary that the decision should embody the substance of evidence."

Sir Henry Wheeler; Rai Debender Chunder Ghose Bahadur; Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I object to this amendment on the ground that it is contrary to the intention with which these courts were created. They were meant to be, as I have said before, simple courts, and the whole of the idea underlying their constitution could probably be summed up by saying that they were meant to dispose of cases according to justice, equity and good conscience. It is particularly desired that they should be freed from technicalities of procedure and that they should not become merely an inferior edition of existing tribunals. Therefore, Sir, it was outside the intention of their constitution that they should compile records and write judgments. Of course they were meant to hear evidence, but I do not agree with the Hon'ble Member when he argues that clause 94 (now clause 86) means that evidence must be recorded. The idea was that parties should come before the bench, bring their witnesses, and have their say, and that the bench should then give their decision. This amendment goes beyond that, and says that the bench should give reasons, which means a record and all the procedure of an ordinary court. For that reason I oppose the amendment."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I am sorry I cannot support the Hon'ble Mover in this matter. Having been trained in a city bar, my hon'ble friend finds it difficult to dissociate himself from the methods of the Criminal Procedure Code and he says that if a trial has to take place in any criminal court, the procedure of the Criminal Procedure Code should apply to such trials. The curse of legal procedure in this country is that it is expensive and dilatory and as it would appear, it is not only a curse but that it brings on all interested, a lot of inconvenience. But the proposed courts are meant to be cheap and expeditous, and to secure a sort of rough justice. You cannot have evidence recorded, and if you are going to do that, there will be no end to these trials, and the question will arise whether the evidence has been properly recorded or not. I think, looking at the matter from both sides, the balance of convenience is that the provisions of the Bill should be maintained as they are."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I am surprised to hear that if a person's liberty be taken away, or if a person be convicted, no evidence should be recorded. If the scope of the Bill be that the evidence is to be taken, is it not necessary that some such note should be taken of the evidence that has been adduced against the offender. Here is a man charged with committing an offence. There must be some proof before a conviction is made, and when there is a decision on the matter under issue is it not fair and just that there should be some evidence, and if there be that evidence, is it not fair for me to contend before the Council, that a note should be recorded of such evidence and the decision? Certainly I am familiar with the procedure of law in criminal courts, but making the present Bill as simple as possible, there ought not to be any difficulty in providing for taking note of the evidence and the decisions. I do not contend that the evidence is to be recorded as in a regular trial, but I contend that a note of the evidence should be taken, otherwise it will be very difficult for the District Magistrate to consider what materials there were for the conviction, or for acquittal. How can the District Magistrate come to a conclusion whether there is a failure of justice or not; simply the writing down of the decision will not be a satisfactory procedure, and, therefore, I press this amendment to the consideration of the Council."

The motion was then put and lost.

Babu A. C. Datta; The President; Sir Henry Wheeler; Babu K. M. Chaudhuri; Babu A. C. Mazumdar.

AMENDMENTS Nos. 184 and 185.

The following motions were, by leave of the President, withdrawn :—

The Hon'ble Babu Akhil Chandra Datta to move that for the words "twenty-five rupees" in lines 3 and 4 of sub-clause (*1*) of clause 81 (now clause 72), the words "fifty rupees" be substituted.

The Hon'ble Babu Akhil Chandra Datta to move that for the words "seven days" in the last line of sub-clause (*1*) of clause 81 (now clause 72), the words "fifteen days" be substituted.

AMENDMENTS Nos. 186 and 187.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "all or any" in line 3 of clause 82 (now clause 73), the words 'any three or more" be substituted

He said :

"My Lord, a similar point in respect to the position of the union bench has already been decided by the Council. May I take the liberty of suggesting that a similar modification be made with respect to this clause also."

The President said :—

"I would suggest that the Hon'ble Member should move his amendment in the form in which a somewhat similar one was accepted before, that is to say, 'any two or more'.

The Hon'ble Sir Henry Wheeler said :—

"The arguments are the same as in the case of benches, and I would accept the amendment in its modified form."

The motion was put in its modified form and agreed to.

The following motion was then deemed to be withdrawn :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the word "any" in line 3 of clause 82 (now clause 73), the words "at least three" be substituted.

AMENDMENTS Nos. 188—190.

The following motions were, by leave of the President, withdrawn, namely :—

The Hon'ble Babu Ambika Charan Mazumdar to move that for the word "any" in line 3 of clause 82 (now clause 73), the words "as many" be substituted ; and after the word "board" in the same line, the words "as may be necessary" be inserted.

Also to move that the following be added to clause 82 (now clause 73), namely :—

> "Provided that not less than three of such members must sit together for the trial of a suit, and they shall serve in such rotations and for such periods at a time as may be fixed by rules prescribed under section 111, and in accordance with rosters prepared by the district judge for each union court."

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the words "two hundred" in lines 15 and 16 of clause 83 (now clause 74), the word "fifty" be substituted.

AMENDMENT No. 191.

The Hon'ble Babu Ambika Charan Mazumdar moved that the word "or" at the end of sub-clause (5) of clause 84 (now clause 75), be omitted; and at the end of sub-clause (6) of the same clause the following be added, namely:—

"or

(7) for the specific performance of any contract, or for the establishment of any right or title to any land or water, or for any right-of-way or other easement in any land or water".

He said:

"My Lord, in clause 83 (now clause 74) of the Bill the nature of suits that will be entertained by the union courts has been provided. They are suits for money due on contract, suits for the recovery of movable property or the value of such property; and suits for compensation for wrongful detention or injury to the movable property and then follows something else. Clause 84 (now clause 75) of the Bill provides that no suits shall lie in any union courts and then the nature of the suits is specified. My amendment is that at the end of the clause 84 (now clause 75) of the Bill as it stands the following be inserted, namely:—

'or

(7) for the specific performance of any contract or for the establishment of any right or title to any land or water, or for any right-of-way or other easement in any land or water.'

If clause 83 (now clause 74) stood as it had been framed and then clause 84 (now clause 75) negativing the power of the union board had not been introduced, it would not have been necessary for me to move this amendment. In the first place, we have in clause 83 (now clause 74) stated the nature of the suits which can be brought into the union courts; and then in clause 83 (now clause 74), we have specified what classes of suits shall not be entertained by the union courts. If we are to specify what classes of cases shall not be cognizable in union courts, I think the list would be exhaustive. I think it was not the intention of the Select Committee to allow suits for specific performance of contract—by which I mean specific performance under the Specific Relief Act, or suits of title or easement to lie in such courts. These are very difficult and complicated matters, and I think it is not the intention of the legislature that they should be entertained in these which will not be held by very experienced lawyers. We have, of course, said that they shall try certain class of cases. If the word 'or' at the end of sub-clause (5) of clause 84 (now clause 75), be omitted and in clause 84 (now clause 75), we mentioned certain class of cases which ought not to be within the cognizance of these courts, I think the clause should be made exhaustive by including title suits and suits for easement and so forth, and also suits for specific performance of the contract under the Specific Relief Act."

The Hon'ble Mr. Duval said:—

"My Lord, clause 83 (now clause 74), of the Bill lays down that the village courts shall only try petty suits for money and simple matters of tort such as are of the nature of cases triable by the present mufassal Small Cause Courts. Then in clause 84 (now clause 75), mainly following the precedents of the Small Cause Court procedure in the mufassal we exclude from the cognizance of the village

Rai Debender Chunder Ghose Bahadur; Babu Mahendra Nath Ray; Rai Mahendra Chandra Mitra Bahadur.

courts certain class of suits for money such as suits arising on bonds of mortgage, suits in connection with partnership, suits of inheritance and suits for legacies. We also exclude certain number of cases on the ground that they are brought either against Government or against certain classes of individuals, such as minors and lunatics. The suits, however, the Hon'ble Member now proposes that we should exclude, are not money suits or simple suits for tort ; they are suits for the specific performance of contract and suits of easement. I submit, therefore, my Lord, that as clause 83 (now clause 74) only deals as I say with money suits and simple matter of tort, there is no necessity at all to include the classes of suits which the Hon'ble Member wishes to do, in the exception in clause 84 (now clause 75). For this reason on behalf of the Government I oppose the amendment."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I think there is some little force in the Hon'ble Babu Ambika Charan Mazumdar's statement that the provisions of clause 84 (now clause 75) should not appear inwards as exhaustive of the list of suits which ought not to be brought in the union court. It is difficult to make an exhaustive list of possible suits. If it is intended to show that by the expression 'suits for money due on contracts in clause 83' (now clause 74) suits on contracts of partnership on mortgage, for a share or part of a share under an intestacy or for a legacy should not be instituted in such a court, I think the better course will be to preface the first line of the clause in this way—'no suit amongst others shall lie in any union court on contracts of partnership, etc.' It would remove any contention which might be raised on the ground that this is an exhaustive list of suits which ought not to be brought here, though we are borrowing the words of the Small Cause Court Act in this Bill."

The Hon'ble Babu Mahendra Nath Ray said :—

"My Lord, I would not have wasted the time of this Council but for the fact that I find two members of my own profession discovering defects in the Bill as it has been drafted. I suppose it was put very clearly that clause 84 (now clause 75) only specifies some classes of suits for money and some classes of suits for immovable property which it is proposed to be excluded. There is therefore absolutely no defect and to suggest that clause 84 (now clause 75) should be so worded as to run 'no suit shall lie in any union court amongst others' is, I think, quite unnecessary. If exceptions are indicated they must be indicated exhaustively, You cannot say that the list of exceptions should include (*a*), (*b*), (*c*), etc. As I have said, the point is so very clear that it would be better for the Council not to be guided by the legal opinion but by plain common sense."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I beg to submit a few words in this connection. It appears that the Hon'ble Babu Ambika Charan Mazumdar wishes that suits for the specific purpose of any contract, or for the establishment of any right or title to any land or water, or for any right-of-way or other easement in any land or water to be included in clause 84 (now clause 75). There is some difficulty which I feel just now. In suits for the specific performance of contract, there is always a prayer for damages and my hon'ble friend Babu Mahendra Nath Ray will agree with me. Now, therefore, in order to make matters as clear as daylight it is necessary to state that suits for specific performance of contract will not lie in the union court and so I cannot support my friend the Hon'ble Babu Ambika Charan Mazumdar in enunciating the whole proposition which he has put forward in his amendment. But as I have submitted, my difficulty

lies here—that if simply we include in clause 83 (now clause 74) suits for compensation for wrongfully taking or injuring movable property, that shows that suits for damages of a certain class, but are we to understand that suits for damages will not be instituted with reference to suits for compensation for specific performance of contract, then I submit that my friend, the Hon'ble Babu Ambika Charan Mazumdar, is wrong. But we can understand very well the object of clause 83 (now clause 74) and the object of clause 84 (now clause 75)—one is inclusion and the other is exclusion. So there will be no difficulty about them."

The Hon'ble Babu Ambika Charan Mazumdar said:—

"My Lord, I have fully understood the arguments of the Hon'ble Mr. Duval, but I am not sure that he has understood my difficulty. In clause 83 (now clause 74) we specify the classes of suits that will be cognizable in these courts. If the Bill had ended there, there would have been no difficulty at all; that is to say that we all know that beyond the classes of suits mentioned in clause 83 (now clause 74) no other suits shall be entertained in these courts. But in clause 84 (now clause 75) we introduce certain cases which we say shall not be tried by them. The main difficulty arises because you say in clause 84 (now clause 75) what suits shall not be entertained by these courts then the only question I would put to the Hon'ble Members of the Council is:—Is it or is it not our intention to invest these courts with power of dealing with title-suits? If the answer is in the negative then is not clause 84 (now clause 75) an element of doubt? But here it is said that the union court shall have a concurrent jurisdiction to try the following classes of suits. Are we or are we not going to exclude the question of assessment from the cognizance of these courts which are very difficult? If that is our intention in one section we say that they shall try these suits and in the subsequent section we say that they shall not try these suits. Then that section should be exhaustive, otherwise doubt may arise whether suits for land will not be cognizable by these courts. Therefore, I have suggested if we leave clause 83 (now clause 74) as it stands without clause 84 (now clause 75) there will be no difficulty at all, but if we introduce clause 84 (now clause 75) and also mention that certain classes of suits shall not be entertained by these courts, in that case we should also include those classes of cases, *viz.*, those of title and assessment, etc., which it is our intention not to include amongst the classes of cases to be tried by these courts."

The Hon'ble Sir Henry Wheeler said:—

"My Lord, this is rather a lawyer's argument, and I feel some diffidence in intervening, but what strikes me as a layman, is this; under clause 83 (now clause 74) these courts *can* only try suits of a specified description, which we may call class A. The amendment says that they shall *not* try suits of another specified class B; but class B is already excluded from class A, and, therefore, in so far as the powers of these courts will be confined to class A, it is unnecessary specifically to exclude class B, any more than it is necessary to exclude classes C, D or E, which are equally outside class A. Clause 84 (now clause 75) specifies certain circumstances in which suits that *may* fall in class A will not lie."

The motion was then put and lost.

AMENDMENT No. 192.

The Hon'ble Babu Akhil Chandra Datta said:—

"My Lord, in view of the fate of amendment No. 175 which is almost similar to this amendment No. 192, I should think that no useful purpose

could be served by pressing this amendment for acceptance. I, therefore, with your Excellency's permission beg to withdraw this amendment."

The motion was then, by leave of the President, withdrawn.

It was as follows :—

The Hon'ble Babu Akhil Chandra Datta to move that the words "or, if in the opinion of the court, he shows negligence in prosecuting his suit," in lines 2, 3 and 4 of clause 88 (now clause 79), be omitted.

AMENDMENT No. 193.

The Hon'ble Babu Ambika Charan Mazumdar moved that after clause 95 (now clause 87), the following be inserted, namely :—

"95A. If the judgment-debtor pays into court the decretal amount, together with the fee payable under section 99 and the costs, if any, within thirty days from the date of the decree, he shall be allowed a remission of ten *per cent.* upon the amount decreed and the decree shall be deemed satisfied upon the payment of the balance :

Provided that no such remission shall apply in the case of an order passed for payment by instalments under section 95, or after the issue of the certificate mentioned in section 102 of this Act."

He said :

"My Lord, this is a somewhat novel provision which I wish to introduce as a new clause. This clause which I wish to have introduced in this Bill might be misconstrued as one in favour of judgment-debtors, but in point of fact, as far as I am concerned, I am moving it in the interest of creditors, for everyone knows that the real difficulty of a plaintiff begins when he obtains the decree. In executing a decree various difficulties arise, the property fails and as the last resort the judgment-debtors go to the insolvency court ; so that anyone who has practical experience of the difficulty of decree-holders knows that in many cases and I must say in the majority of cases the creditors fail to get anything from the judgment-debtors. Therefore, it is my intention to place some inducement before the judgment-debtor to pay the money without much harrassment and hence my amendment. It would be I believe some inducement to a judgment-debtor when he sees that he may pay 10 per cent. less of the decretal amount to pay the money into the court without raising much difficulty in the way of the decree-holder, and the decree-holder I believe would be quite satisfied to get Rs. 90 out of Rs. 100 which he has very little chance of recovering through the ordinary process of execution. But I have added two restrictions to this remission, *viz.*, if the judgment-debtor gets a decree by instalments it would be hard to extend such a favour to him, and in the second place if the decree-holder has obtained a certificate of execution through another court such remission ought not to be granted. but before the grant of the decree if the man comes forward to pay the decree-holder the remission of 10 per cent. would be a good inducement to him to do so as it would be as much to the advantage of the decree-holder as it will be to the advantage of the judgment-debtor to pay off something less than what is actually due from him. It is with this view that I move this amendment."

The Hon'ble Mr. Duval said:—

"My Lord, I quite admit that a plaintiff's troubles begin only after he obtains his decree, but it must be remembered that certain decrees are realised in full. Government cannot accept this amendment ; it would mean that a debtor no doubt might be induced after decree had been passed against him to

pay off quickly on the chance of getting a discount of 10 per cent., but it might also be that the debtor might avoid paying a debt and force his creditor to go into the court so as to be able to get a 10 per cent. discount which he could not obtain unless he was sued. On behalf of Government, I would, therefore, oppose this amendment."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I heartily support this amendment. My hon'ble friend has perhaps got the idea from the procedure which is laid down in execution of decrees. After sale of immovable property indulgence is shown to the debtor to pay the amount with certain penalties. Now if this procedure is accepted by court, I submit that such indulgence ought to be shown to the debtor at the time when the decree is passed. There will be some delay in realising the amount and if this procedure be in the statutory book this would be something like an inducement to the debtor to pay the amount. I therefore submit that it is for the consideration of the Hon'ble Member whether he would accept this amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, although I did not like to speak, but following the Hon'ble Rai Mahendra Chandra Mitra Bahadur I am rather tempted to speak in opposition to him and the Hon'ble Babu Ambika Charan Mazumdar. What is the matter, my Lord. An agriculturist lends Rs. 100 to another man; the villager finds that he can at the time of payment of that sum get a remission of 10 per cent. if he pays the amount at the court. If the creditor finds that there are some bad debts which he cannot realise in full he can make some *bundabast* and can settle his claim for any amount he likes. But I do not understand why this statutory provision is intended to be inserted in the Bill to enable the court to grant a remission to the person who is bound in all conscience and in all equity to pay back the money which he has borrowed. I do not understand the reasons; of course, the trouble begins no doubt in many cases when the decree is passed, but in such cases some mutual *bundabast* may be made. Here under this amendment he will demand in every case a remission of 10 per cent."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, for the information of the Hon'ble Mr. Duval I may say that I have considered the aspect which he has referred to.

Ordinarily people make more than 10 per cent. remission. There is hardly any case where the judgment-debtor does not get oftentimes more than 15 to 20 per cent. remission, so that it will not make the position of the decree-holder worse, but rather better. The suits to be brought in these courts would be of the utmost value of Rs. 200; now if a creditor gets Rs. 180 altogether with costs he will thank himself and thank the debtor, but the apprehension that they won't pay amicably and would press a man to court is a mistaken one, because if amicable payment is made it is not 10 per cent. but more than that what is oftentimes allowed."

The motion was then put and lost.

AMENDMENT No. 194.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "cancel the order of the union court and" in lines 2 and 3 of the proviso to clause 96 (now clause 88), the words "uphold, reverse or modify the order of the union court, or" be substituted.

Sir H. Wheeler; Babu Akhil Chandra Datta; Rai Radha Charan Pal Bahadur; Babu Ambika Charan Mazumdar.

He said :

"My Lord, there has been some modification made with respect to the revision of the order of the union bench. The Council has already come to a decision on that point. May I suggest that a similar modification be made with respect to the order of the union court also ?"

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the argument is the same both in relation to courts and benches, and as we have accepted the modification in the case of benches, I have no objection to accepting it in this case also. I would only ask that, as there are two amendments on the same point, and as that of the Hon'ble Rai Radha Charan Pal Bahadur (No. 195) happens to be more in conformity with the change as made in connection with benches and with the existing wording of the Act, the Hon'ble Babu Akhil Chandra Datta might withdraw his amendment, and the Hon'ble Rai Radha Charan Pal Bahadur might then move his, which we will accept. The effect will be the same."

The Hon'ble Babu Akhil Chandra Datta said :—

"I am very glad to withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 195.

The Hon'ble Rai Radha Charan Pal Bahadur moved that after the word "cancel", in line 2 of the proviso to clause 96 (now clause 88), the words "or modify" be inserted ; and for the word "and", in line 3 of the same proviso, the word "or" be substituted.

He said :

"My Lord, I need not make any speech ; it has been fully explained, and I believe the amendment will be accepted."

The motion was put and agreed to.

AMENDMENT No. 196.

The following motion was deemed to be withdrawn as the Hon'ble Member was absent :—

The Hon'ble Babu Surendra Nath Ray to move that after the words "district judge", in line 1 of the proviso to clause 96 (now clause 88), the words "or the High Court" be inserted ; and for the words "and direct a retrial of the suit by the same or any other union court, or by any other court subordinate to him", in lines 3 to 5 of the same proviso, the words "or pass such order as the judge or court thinks fit and proper" be substituted.

AMENDMENT No. 197.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the word "suit", in line 2 of the proviso to clause 96 (now clause 88), the words "made within thirty days of the decree of the union court" be inserted.

Mr. Duval; Babu Ambika Charan Mazumdar; Rai Radha Charan Pal Bahadur.

He said :

"My Lord, in moving this amendment I would draw attention to proviso to clause 96 (now clause 88). There it is said—'provided that the district judge, on the application of any party to the suit, cancel the order . . . and so forth. I think there ought to be a limit for such an application, and therefore I propose that after the words 'any party to the suit', the words 'may within thirty days of the decree of the union court' be inserted. It ought not to be left indeterminate. Here the revision comes in through the application of the party to the suit, but the party should not have indefinite time for making such an application. Therefore, I move that it should be limited to thirty days."

The Hon'ble Mr. Duval said :—

"On behalf of Government, I accept the amendment."

The motion was put and agreed to.

AMENDMENT No. 198.

The Hon'ble Babu Ambika Charan Mazumdar moved that before the word "failure", in line 6 of the proviso to clause 96 (now clause 88), the words "clear error of law or grave" be inserted.

He said :

"This also, my Lord, refers to the same proviso with regard to which I have just moved an amendment. The ground there is that the district judge may on the application of any party to a suit cancel an order of the union court and direct a retrial of the suit, by the same or any other union court, or any other court subordinate to him, if he is satisfied that there is a failure of justice. I wish to introduce the words 'clear error of law or grave.' My reason is this : If substantial justice is done by the union court, there should be no interference, and in the second place, I would add the words 'clear error of law'. This comes in because in an earlier clause it has been provided that the union court may throw out a suit on the ground of limitation. My Lord, questions of limitation are oftentimes very difficult to decide, so that I think this addition should be allowed—'clear error of law or grave failure of justice'. If the Judge is satisfied that clear and substantial justice has been done, there ought not to be any interference with the judgment of the court, but if there be a mistake committed by the union court as regards the point of limitation, he should have power of interfering with the judgment. Add:—If the Judge's power of revision be not thus restricted the finality of the decisions of the union courts will be a misnomer."

The Hon'ble Mr. Duval said :—

"On behalf of Government, I accept the amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I was about to rise when the Hon'ble Mr. Duval rose and accepted the amendment. I am afraid I must oppose this amendment. I do not know what the Hon'ble Mover's object is. Here in this provision the framers of the Bill have provided that if the district judge is satisfied that there has been a failure of justice he can take action, but this amendment restricts the discretion of the district judge. The members of the union court are not lawyers, they will deal out simple justice and the suitors themselves will be ordinary simple agriculturists. Then who is to decide whether there has been a clear error of law or grave failure of justice?

Babu Mahendra Nath Ray; Babu Ambika Charan Mazumdar; Sir H. Wheeler.

How are they to establish it ? Therefore, my Lord, I think that the clause should stand as it is and I hope Government will reconsider their decision about the acceptance of this amendment."

The Hon'ble Babu Mahendra Nath Ray said :—

"I am sorry to have to make a statement now as a member of the Select Committee who had discussed this matter at great length. In clause 80 (now clause 71) and in the other clause 86 (now clause 77), the words originally were 'serious failure of justice'. The Select Committee, as will appear from the report, considered that the word 'serious' was somewhat out of place and therefore should be omitted, so that the wording of clause 80 (now clause 71) was modified deliberately by the Select Committee by the exclusion of the word 'serious', and they went back to the original expression 'failure of justice'. That is why we find in clause 80 (now clause 71) the words 'failure of justice' alone without the word 'serious' preceding them. The Hon'ble Babu Ambika Charan Mazumdar moved an amendment in connection with clause 80 (now clause 71) also, that the word 'grave' should be prefixed to the expression 'failure of justice', but that was ruled out of order.

The Hon'ble Babu Ambika Charan Mazumdar said :—

"But that was disallowed by the President."

The Hon'ble Babu Mahendra Nath Ray said :—

"But this amendment in this clause would, I am sorry to say, not only differentiate the two clauses unnecessarily, but it would be an instance of bad drafting. I do not know whether Mr. Duval representing Government has carefully considered this matter. In fact, if the Select Committee thought that the words which should occur in both the clauses should be 'failure of justice' without any qualifying word 'serious' or 'grave', that was deliberately done in order to make the two clauses consistent. I am only concerned with the wording of the amendment; I do not mind whether Government accept the expression or not—it will simply amplify the power of the district judge to interfere in any case, although I understand that that was not the object of the Bill. It was intended that the district judge will not interfere except when there has been a serious error of law. For instance, there may be a clear error on the question of limitation, but that question of limitation may not be a serious error of law, but still to give effect to the law of limitation, the district judge may interfere in any particular case. I am bound to make this statement because I do not exactly realise either the position of the members of the Select Committee or the somewhat altered position of the Government as indicated by what the Hon'ble Mr. Duval has just now told us."

The Hon'ble Sir Henry Wheeler said :—

"This discussion rather points to the fact that the path of good intentions is not always easy, and it is not always wise to try and please everybody. Much of what the Hon'ble Babu Mahendra Nath Ray has said is perfectly correct. The facts are that in the Bill as originally introduced, we had the word 'serious', and when we were considering the Bill in the light of the amendments sent in, we found that one Hon'ble Member had objected to the use of that word ; in our desire to meet the wishes of Hon'ble Members

as far as possible without sacrificing any grave matter of principle, we eliminated the word. Now we find that another Hon'ble Member wants to put back words of a somewhat similar purport, and from his amendment I concluded that the impression conveyed to the Select Committee, viz., that the omission was wanted by the Council, was incorrect. In that belief Mr. Duval has expressed our willingness to go back to the wording of the Bill as originally framed. But now we understand that even to this course there are objections, so in these circumstances, it is best to leave the point to the decision of the Council."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I would like to say one word. My hon'ble friend to my right says that this was considered by the Select Committee, and he is surprised that the Government should have changed its mind. I thought otherwise. We should always welcome any change of mind on the part of Government, but of course if my hon'ble friend thinks that the Select Committee has got the last word that is another matter. With regard to the expression 'clear error of law' I have already pointed out that there is a clause which says that a union court may throw out a suit on grounds of limitation. I will only give a simple illustration. Suppose a man brings a suit upon a bond. The law provides that limitation may be saved by endorsing an acceptance on the back of the bond, but the union court may not understand this; they may not know that there is a certain difference between certifying on the back of the bond on payment of interest or of principle by the party himself or by a different person. All these niceties may not be understood by the judges of the union court. Therefore, I ask that when there is a clear error of law, the judge may interfere. There may not be injustice but still it would be a serious matter. My hon'ble friend to my right has said that a similar provision has not been adopted in the case of the union bench. I submit that he is experienced enough to know that there is a considerable difference between a criminal court and a civil court, and, although the scope of the serious injustice may not be much in a criminal case, there is a very grave chance of substantial justice not being done in a civil suit, and, therefore, I urge this amendment. If there is substantial justice which we all understand and which we all deal with in civil cases, there ought to be no interference of course. I press this amendment."

A division was then taken with the following result :—

Ayes—6.

The Hon'ble Sir Nilratan Sarkar, Kt.
" Dr. Abdulla-al-Mamun Suhrawardy.
" Maulvi Abul Kasem.
" Khan Sahib Aman Ali.
" Babu Kishori Mohan Chaudhuri.
" Babu Ambika Charan Mazumdar.

Noes—15.

The Hon'ble Mr. J. G. Cumming, C.S.I., C.I.E.
" Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" Mr. C. J. Stevenson-Moore, C.V.O.
" Colonel J. K. Close, M.D., I.M.S.
" Mr. C. F. Payne.
" Mr. S. G. Hart.
" Khan Bahadur Maulvi Aminul Islam.
" Mr. R. V. Mansell, O.B.E.
" Mr. W. H. H. Arbuthnot-Wood, C.I.E.
" Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
" Rai Debendra Chunder Ghose Bahadur.
" Rai Radha Charan Pal Bahadur.
" Rai Sri Nath Roy Bahadur.
" Rai Mahendra Chandra Mitra Bahadur.
" Babu Mahendra Nath Ray, C.I.E.

The following members abstained from voting :—

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" Mr. J. H. Kerr, C.S.I., C.I.E.
" Mr. F. C. French, C.S.I.
" Mr. J. Donald, C.I.E.
" Mr. L. S. S. O'Malley, C.I.E.
" Mr. H. P. Duval.
" Mr. M. C. McAlpin.
" Mr. F. A. A. Cowley.
" Mr. W. C. Wordsworth.
" Sir Rajendra Nath Mookerjee, K.C.I.E.
" Mr. W. E. Crum, O.B.E.
" Mr. W. H. Phelps.
" Mr. G. A. Bayley.
" Babu Akhil Chandra Datta.

The following members were absent :—

The Hon'ble Nawab Bahadur of Murshidabad.
" Mr. Aminur Rahman.
" Raja Hrishikesh Laha, C.I.E.
" Mr. L. V. N. Meares.
" Mr. Provash Chunder Mitter, C.I.E.
" Babu Siv Narayan Mukharji.
" Kumar Shib Shekhareswar Ray.
" Babu Brojendra Kishor Ray Chaudhuri.
" Mr. Arun Chandra Singha.
" Mr. F. W. Carter, C.I.E., C.B.E.
" Mr. H. R. A. Irwin, C.I.E.
" Mr. M. Ashraf Ali Khan Chaudhuri.
" Maulvi A. K. Fazl-ul-Haq.
" Babu Bhabendra Chandra Ray.
" Mr. Altaf Ali.
" Babu Surendra Nath Ray.
" Mr. K. B. Dutt.

The *Ayes* being 6, and the *Noes* 15, the motion was lost.

AMENDMENTS Nos. 199 and 200.

The Hon'ble Babu Akhil Chandra Datta moved that for the words "one anna" in line 2 of sub-clause (*1*) of clause 99 (now clause 90), the words "half-an-anna" be substituted.

He said :

"My Lord, apparently this is a very simple matter, but really it is a very important one. It affects vitally a large class of people for whose benefit the union courts have been instituted. The rate of court-fee in ordinary civil courts is 6 annas for Rs. 5 ; according to this provision it will be 5 annas for Rs. 5 ; in other words the court-fees in these courts will be almost as high as in the ordinary civil court. The question is, is it proper that in union courts the court-fee should be as high as that? Here, the whole object in the village court is to administer simple and cheap justice without making it complicated and expensive. But that object would be frustrated if the court-fee is raised as high as 1 anna in the rupee. There are several other reasons why the court-fee ought not to be so high. These courts will be presided

over by honorary officers, and therefore the expense incurred in administe ing justice will not be as great as in civil courts. We all know that ordinary civil courts a large profit is made by these court-fees. But the should be no profit expected or made by administering justice in union cour and we could very well afford to have a lower rate. Above all, my Lor there is another consideration which cannot be lost sight of, and it is thi we want to make these union courts a reality and we want to make the successful. If we are to do so, we must induce people to come to these cour in preference to the ordinary civil courts. These courts have no exclusi but concurrent jurisdiction with the civil courts. If that is so, there must some inducement to come to these courts. If the suitors find that they ha got to pay here more than in the ordinary civil courts, there will be inducement for them to come to these courts, and the result will be th these courts, which we all wish to be successful, will not be taken advanta of by the people. Therefore, my Lord, in order to make these union cour successful, I want to have the court-fees reduced to half-an-anna."

The President said :—

"The amendment which follows amendment No. 199 deals with the sa subject and I think we might discuss both the amendments together."

The amendment No. 200 was as follows :—

The Hon'ble Babu Ambika Charan Mazumdar to move that at the end sub-clause (*1*) of clause 99 (now clause 90), the following be added, namely :-

"up to twenty-five rupees, and an additional fee of half-an-anna f every rupee of the claim above twenty-five rupees."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, my amendment is that the fee should be at the rate of o anna up to Rs. 25, and an additional fee of half-an-anna for every rupee the claim above Rs. 25. I have taken the mean between the two; up Rs. 25 in an ordinary course under the Court-Fees Act the court-fee wou be Re. 1-14, but under this Bill in a union court it would be Re. 1-9, so that would be something less ; but we have to consider also the expenses to l incurred in going on with the suits and various incidental matters an therefore, I have suggested that up to Rs. 25 the rate fixed by this claus may remain but above that it should be half-an-anna for every rupee of th claim ; otherwise as my friend has pointed out there would not be sufficie inducement for the litigant to go to the union court. In the case of a clai for Rs. 100 under the Court-Fees Act the court-fee leviable would be Rs. 7- but if you make one anna all round then the court-fee for Rs. 100 under th Bill would be Rs. 6-4, there being a difference of only Re. 1-4. This woul hardly be an inducement to the poorer people to seek the assistance of t union courts which it is our object to popularize no doubt, and in that view submit that up to Rs. 25 we might agree to one anna, but for every rupe above Rs. 25 we shall make it half-an-anna."

The Hon'ble Mr. Duval said :—

"My Lord, as has been pointed out by the Hon'ble Babu Ambika Chara Mazumdar, the fee for suits in the civil court is Rs. 7-8 for a claim Rs. 100. The fee rate proposed in the present Bill is at the rate of Rs. 6- I would submit that in so far as the small cases up to Rs. 25 which, whe

brought in the village court, are not liable to be transferred at the wish of defendant this fee is sufficiently low, that is to say, for a claim of Rs. 25 the plaintiff will be able to get judgment at the expense of Re. 1-9. In the case, however, of cases of above Rs. 25 in value, it would probably be an advantage to have as low a fee as possible so as to induce the people to come to these courts and not to apply for a transfer to the munsif's court. In this view opposing the proposal of the Hon'ble Babu Akhil Chandra Datta to reduce the fee of one anna to half-an-anna for all suits, Government is prepared to accept the amendment proposed by the Hon'ble Babu Ambika Charan Mazumdar."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have submitted my reasons ; my only object is to make the union court popular and the administration of justice by them less expensive. The controversy now is whether up to Rs. 25 the court-fee should be half-an-anna or one anna. My submission is this ; all the suits that will be tried by the union courts are necessarily suits of small value ; the higher the value the less will be the inclination of the litigants to go to these courts, and they would go to the ordinary courts ; and therefore so far as the higher amounts are concerned they are not of very much value, and the most important question is what should be the rate of court-fees for lower amounts. In that view of the matter I feel rather strongly on this matter—it is a matter which will affect a very very large class of persons and I am only afraid, my Lord, that unless the fee is reduced the whole object of these provisions will be frustrated and the courts will not be taken advantage of by the litigant. In that view of the matter I would like to press the amendment No. 199 for the acceptance of the Council and I only hope that the Members of Council will give their serious consideration over this important matter."

Motion No. 199 was then put and lost.

Motion No. 200 was then put and agreed to.

AMENDMENT No. 201.

The following motion stood in the name of **the Hon'ble Babu Akhil Chandra Datta** :—

That after clause 99 (now clause 90) the following be inserted, namely :—

"100. If any suit is instituted in the court of small causes or the court of a munsif which, in the opinion of the court which tries the same (whose opinion shall be final), ought to have been instituted in a union court, no costs shall be allowed to a successful plaintiff, and a successful defendant shall be allowed such costs as the court may consider reasonable."

Disallowance of costs in certain cases

He said :

"There is a question of order."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, we have already accepted in clause 83 (now clause 74) that if the union courts and the munsif's courts will have concurrent jurisdiction, is it open to us to say that the litigants shall be penalised for going to a court which has concurrent jurisdiction over these matters ? This would not be governed by this Act but by other Act."

The President; Babu Akhil Chandra Datta; Babu Ambika Charan Mazumdar; Sir Henry Wheeler.

The President said :—

"I think that is correct. The point raised by the Hon'ble Member is, I think, a good one. We have already decided that these different courts are to have concurrent jurisdiction. That being so, I think it would be out of order to make a suggestion which would have the effect of penalising a litigant, who wants to go to one of these courts in preference to another. But if the Hon'ble Member desires to make any observation on that point, I would be glad to hear him."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, that has reference to the jurisdiction of the court so far as the question of the value of the suit and the nature of the suit is concerned. But I think that has no reference to court-fees. The question of court-fees is absolutely different. Two courts may have jurisdiction over the same matter concurrently, and at the same time the rate of court-fee, if the law prescribes so, may be different in the two different courts."

The President said :—

"I do not think that that invalidates the point raised by the Hon'ble Sir Deba Prasad Sarbadhikari. If you want to lay down by statute that two or more courts are to have concurrent jurisdiction, that clearly means that the litigant is to have the option of going to either of the courts. If that is so, it is surely out of order to endeavour to insert in the latter part of the Act a provision which would penalise a litigant if he selects one particular court out of those which are provided for him. That seems to me to be unreasonable, and I think it is out of order."

The motion was then deemed to be withdrawn.

AMENDMENT No. 202.

The Hon'ble Babu Ambika Charan Mazumdar moved that after the word "distributed", in line 4 of clause 102A (now clause 92), the following be inserted, namely :—

"in proportion to the fee payable under section 99 and the amount decreed to the party under section 94."

He said :

"My Lord, this amendment refers to clause 102A (now clause 92). I think what I am going to move was the very intention of the Select Committee also. I wish to make it clear by adding that the sum shall be rateably distributed in proportion to the fee payable under clause 99 (now clause 90) and the amount decreed to the party under clause 94 (now clause 86). I only want to make it clear what should be the rateable distribution, that is to say, the rateable distribution of fees under clause 99 (now clause 90) and the amount decreed. That will make the matter clear and I think that is also the object of the Select Committee."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the amendment is really one of drafting. The clause deals with the case in which the sum realized from the debtor is not sufficient to pay the amount of the decree and of the fees due, and it then says that the proceeds that are realized should be distributed rateably; rateably means in proportion to the fee payable and the amount decreed, and I am advised that as a matter of drafting, the further words proposed in the amendment are not

Babu Ambika Charan Mazumdar ; Rai Mahendra Chandra Mitra Bahadur.

required, since the meaning of the clause is already sufficiently clear. As we are generally guided by our own advisers in the matter of drafting, I deprecate the amendment."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, there is no difference between what I have said and what the Hon'ble Sir Henry Wheeler has said. Rateable distribution means according to certain proportion, and by my amendment I wanted to make that more clear ; that is to say, the proportion between the fees leviable and the amount realised."

The motion was then put and lost.

AMENDMENT No. 203.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that after sub-clause (*2*) of clause 103 (now clause 93) the following be added, namely :—

> "(*3*) Rules referred to in clauses (*q*) and (*s*) of sub-section (*2*) of section 111 (now section 101) shall come into force subject to sanction by the legislature, after previous publication in the *Calcutta Gazette.*

He said :

"My Lord, under section 111 (now section 101), the local Government are authorised after previous publication to make rules to carry out the purposes of the Act. In particular, and without prejudice to the generality of the foregoing power, the local Government may make rules. Now rules regarding determining the manner and time of appointment or election of members, rules regarding the election of the president of union board and rules regarding various other matters are to be made by the local Government. My submission is that the Bill as has been framed is not exhaustive. The provisions of the Bill show that rules for regulating the procedure and institution of suits, etc., should be left to the rules which are to be framed by the local Government, that is, the executive Government. My contention is that the legislature or the Legislative Council ought to sanction these rules. I have no objection if the rules are framed by the local Government, but they must be subject to the sanction of the legislature. When the Bill shows in clear terms that provisions of the Civil Procedure Code and the Criminal Procedure Code will not apply to the present Bill, is it not fair and consistent that the procedure which should be substituted in place of the Civil Procedure Code and the Criminal Procedure Code should be sanctioned by the legislature? It is true, my Lord, that if the legislature delegates its authority to the local Government, the legislature may be pleased to do so, but the question is that the mere statutory authority given by the legislature to the local Government will not go so far as to lay down that those rules ought not to be sanctioned by legislature. We are to deal with adjective law ; in whatever way the rules may be treated or in whatever way the rules may be explained, it appears to me that the rules must have the force of law and consequently the sanction of the legislature is necessary.

In the first place, my contention is that the legislature ought not to delegate its authority to the local Government to frame rules—call them as rules, call them as laws or call them as generalisation for proceedings in the trial of suits. That is my view of the matter. The legislature ought not to delegate its authority, and if the legislature does delegate its authority to the executive Government, it is necessary that these rules should be sanctioned by the legislature, and in that view of the matter I have placed this amendment for the consideration of the Hon'ble Members of the Council.

Sir Henry Wheeler.

Now, so far as the procedure in courts is concerned, are the litigants to be bound by rules framed by the executive Government? The legislature up to this moment does not know what the rules are. What are the rules of procedure for the trial of suits in the Courts of Justice? It will appear that so far as the jurisdiction of the union courts or union benches is concerned, that they should be guided by rules framed by the executive Government. Of course I am not prepared to say that these rules are to be viewed as *ultra vires;* but I do contend that when the legislature is enacting the law, this is the time for the legislature to consider whether the rules are to be subjected to the criticisms of the Hon'ble Members of the Legislative Council. In this view, it is a very important question which your Excellency will have to consider—it is a question which was raised several times at the bar and before the bench and they could not say that these rules were *ultra vires* because statutory power was given by the legislature to the Local Government, but these have reference to minor matters, *i.e.*, election rules and those which are specified in the first part of clause 111 (now clause 101). But when we have to deal with the procedure for the trial of suits, is it to be contended that these rules will have the force of law, because the legislature delegates the authority to the local Government? My Lord, it is a very important question which the Hon'ble Members will have to consider. I do not for one moment wish that the operation of the Bill should be delayed. I had welcomed the Bill at the time when it was introduced by Lord Sinha; but, at the same time, I want to submit to the Hon'ble Members that if the rules are framed by the Local Government, let these be subjected to the criticism of the legislature. Your Excellency has noticed that the Bill was at the first instance put before the Hon'ble Members of the Legislative Council, and recommitted to the Select Committee, and we find that various amendments have been put in. What for?—for the reason of seeing that the Bill is a perfect one. But the rules are framed by the executive Government and they are not subjected to the criticisms which naturally and legitimately will arise. Consequently the rules, if published in the *Calcutta Gazette*, will have the force of law and the legislature has no voice at all. What I submit, my Lord, is that these rules ought to be subjected to the criticisms of the Legislative Council. That is a point which I submit for the consideration of your Excellency and the Hon'ble Members of this Council. It is a question of great importance, and, therefore, I move this amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I am afraid I am not prepared to accept this amendment. It really makes two requests: one is that rules shall only be framed after previous publication in the *Calcutta Gazette*, and my answer to that point is that that provision is already in the law. Under clause 111 (now clause 101) of the Bill, the local Government may, after previous publication, make rules; so that matter is already provided for.

"The second proposition in the amendment is that rules should not be valid under the Bill, unless they are sanctioned by the Legislative Council. Now, Sir, the insertion in Acts of powers to make statutory rules is a common feature of most of the legislation in this country, and I think the fact that it is so common a feature points to the conclusion that it is recognised as an administrative necessity. It is not practically possible to foresee, at a time when a Bill is framed, every contingency which may arise to be dealt with under it hereafter. These statutory rules are largely framed in the first instance no doubt on general grounds; but they are amended and added to from time to time in the light of experience. When a need arises demonstrating that a rule is required, a rule is framed. Again any attempt to provide for everything in the Bill would overburden it with a most undesirable

amount of detail. The amendment, if accepted, would place a statutory rule and a provision of the legislature practically on the same footing; and we should not be able to make any change which might be necessary for administrative reasons without having, practically, to go through the whole procedure of a Bill. I submit that the proper function of the legislature is to lay down the matters which may be dealt with by rules, and then to leave it to the authority which will be entrusted with the administration of the Act. Many of the points covered by clause 111 (now clause 101) are matters which are essentially details of administration. The time and manner of election, registration of voters, the powers of presidents and vice-presidents, the conduct of meetings and the method of forming a quorum, registers and records, details of assessment, and so on—all these are matters that we can scarcely bring before the Legislative Council. I submit therefore that the procedure of rules is justified by experience, and it is the only procedure which will ensure the smooth working of the Act."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"I have nothing more to add."

The motion was then put and lost.

AMENDMENTS Nos. 204-206.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that sub-clause (*3*) of clause 106 (now clause 97) be omitted.

He said :

"My Lord, I have put this amendment for the consideration of the Council, *viz.*, to omit sub-clause (*3*) of clause 106 (now clause 97). The object of the amendment is to invite legal practitioners to attend union courts. If legal practitioners are considered to be obstacles in the way of the administration of justice, that is another point, but if these legal practitioners are not allowed to attend these union courts, the result will be that suitors will be under the influence of touts. I do not wish to add any other reason to what I have said, but if Government consider that they should not attend such courts, that is another matter, but I thought it my duty to bring the matter for the consideration of your Excellency's Council."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I belong to the legal profession, but I think that the very object of this Bill would be defeated by allowing legal practitioners to appear in these union courts. The appearance of a legal practitioner before any court no doubt helps considerably for better administration of justice, but in establishing these union courts, we are thinking more of the expenses of litigants than of anything else. We want to establish courts to avoid ruinous litigation, but if experienced lawyers are permitted to appear in these courts, then I do not think there will be much difference between a suit tried in the union court and that tried by the ordinary munsif. Besides, my Lord, we have carefully limited the extent of the pecuniary jurisdiction of the union courts up to only Rs. 200, and in case of criminal cases, we have specified certain simple and ordinary offences. In these matters if we permit the services of lawyers to be available in these courts, a rich man might harass a poor man and at the same time both may be ruined by the heavy expense of litigation. In this view I have always considered that it is a very salutary provision by which legal practitioners are debarred from appearing in these courts, but there is one little difficulty

which I hope Sir Henry Wheeler will try to explain, and that is this—the Legal Practitioners Act is an enactment of the Government of India, and under that Act lawyers are authorised to practise in all courts subordinate to the High Court, and it is a question whether in face of that statutory power we can legitimately debar them from appearing in those courts. But I have already said I welcome this salutary provision, provided it does not go against the provisions of the Legal Practitioners Act over which this Council has no jurisdiction."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I would accept the provision of the Bill as it stands, but there is one point to which I would draw attention. There is a provision here that full-time servant, partner or a relative of the party may appear before the union courts. My hon'ble friend, Babu Ambika Charan Mazumdar, says that if there is a fight between a money-lender and an agriculturist, the money-lender may have a powerful lawyer to appear for him, but at the same time a full-time servant is not always available to appear for the party, and therefore I would ask whether it would not be better to omit the provision of a full-time servant."

The Hon'ble Sir Henry Wheeler said :—

"I rise to a point of order; this is absolutely a different matter."

The President said :—

"I think that is so; I was trying to see what bearing the speech of the Hon'ble Member had on this amendment. I do not find any."

The Hon'ble Mr. Duval said :—

"I do not think there is much to add to what Babu Ambika Charan Mazumdar has said against this proposal which on behalf of Government I oppose. He has raised one point, however, as to whether we can legislate for the exclusion of legal practitioners on the ground that the Legal Practitioners Act of 1879 was an Act of the Government of India. In this connection I would inform him that in the original draft of the Bill which we sent up for approval of the Government of India, we included this provision pointing out to the Government of India that notwithstanding anything contained in the Legal Practitioners Act, legal practitioners should not be allowed to practise before the union court or the union bench and the Government of India raised no objection. I do not think therefore that there can be any difficulty on this point, and I think this Council has ample jurisdiction to pass the proposal as set out in the Bill. As to the merits, I would simply add this. In the district courts of the United Provinces and in the Punjab, legal practitioners are not allowed, and when the District Administration Committee issued its report, they said as follows: 'We think it would be inconsistent with the character and constitution of village courts and for the purposes for which they are intended, to allow legal practitioners to practise in these courts, and we are strongly of opinion that they should be rigorously excluded.' With these remarks on behalf of Government I oppose this amendment."

The motion was then put and lost.

Two identical motions, Nos. 205 and 206, in the names of the Hon'ble Babu Kishori Mohan Chaudhuri and the Hon'ble Babu Akhil Chandra Datta respectively, were deemed to be withdrawn.

AMENDMENT No. 207.

The Hon'ble Rai Radha Charan Pal Bahadur moved that for the words " after previous publication ", in lines 1 and 2 of sub-clause (*1*) of clause 111 (now clause 101), the words " subject to the provisions of section 143 of the Bengal Local Self-Government Act of 1885", be substituted.

He said :

" My Lord, I believe that the provisions of section 143 of the Local Self-Government Act should be taken in here, and I believe that that also is the intention of Government as far as I can judge ; it would be better to have that clause inserted here. Then perhaps the objections raised by some of my hon'ble friends about the rules not being considered by the legislature would be minimised. If my amendment is accepted, Government would be required to consider criticisms on the rules before they are finally published."

The Hon'ble Mr. Duval said:—

" I would submit that this amendment is perfectly unnecessary. No doubt under section 143 of the Local Self-Government Act rules could only be framed after observing certain formalities. Since, however, 1885, in which year that section was passed, we have had the General Clauses Act, I of 1889, and section 24 of that Act says :—

Where, by any Bengal Act, a power to make rules or by-laws is expressed to be given subject to the condition of the rules or by-laws (as we have provided in this clause) being made after previous publication, then the following provisions shall apply, namely—

(1) the authority having power to make the rules or by-laws shall, before making them, publish a draft of the proposed rules or by-laws for the information of persons likely to be affected thereby ;

(2) the publication shall be made in such manner as that authority deems to be sufficient, or, if the condition with respect to previous publication so requires, in such manner as the Local Government prescribes ;

(3) there shall be published with the draft a notice specifying a date on or after which the draft will be taken into consideration ;

(4) the authority having power to make the rules or by-laws, and, where the rules or by-laws are to be made with the sanction, approval or concurrence of another authority, that authority also shall consider any objection or suggestion which may be received by the authority having power to make the rules or by-laws from any person with respect to the draft before the date so specified ;

(5) the publication in the *Calcutta Gazette* of a rule or by-law purporting to have been made in exercise of a power to make rules or by-laws after previous publication shall be conclusive proof that the rule or by-law has been duly made.

I submit, my Lord, that in view of this statutory provision of the General Clauses Act and of the fact that in this clause we have inserted that the rules can only be made by after previous publication, there is absolutely no necessity to refer to the old Act of 1885, nor to section 143 of that Act. The present law under the General Clauses Act covers the object which Government intended and which the Hon'ble Member also wishes. "

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I thank the Hon'ble Member for the information which he has furnished, and I beg leave to withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 208.

The following motion stood in the name of **the Hon'ble Babu Akhil Chandra Datta :—**

That after the word "publication" in line 2 of sub-clause (*1*) of clause 111 (now clause 101), the words "and after consideration of the views of the district boards" be inserted.

He said :

"My Lord, in view of the provisions of the General Clauses Act which we have just heard, I beg leave to withdraw this amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 209.

The following motion stood in the name of **the Hon'ble Babu Kishori Mohan Chaudhuri :—**

That after the word "president" in line 2 of sub-clause (*2*) (*b*) of clause 111 (now clause 101), the words "or vice-president" be inserted.

He said :

"My Lord, this has become unnecessary, because the provision for a vice-president has not been accepted by the House, so I beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 210.

The Hon'ble Member being absent, the following motion was deemed to be withdrawn :—

If motion No. 46 be carried, **the Hon'ble Maulvi A. K. Fazl-ul-Haq** to move that after sub-clause (*2*) (*e*) of clause 111 (now clause 101), the following be inserted, namely :—

"(*ee*) prescribing the procedure for convening and conducting meetings for passing votes of censure on members under section 14B."

AMENDMENT No. 211.

The following motion stood in the name of **the Hon'ble Babu Akhil Chandra Datta :—**

That sub-clause (*2*) (*h*) of clause 111 (now clause 101), be omitted.

Babu Akhil Chandra Datta; The President; Sir Henry Wheeler; Rai Radha Charan Pal Bahadur.

The Hon'ble Babu Akhil Chandra Datta said :—

"I am not quite sure, my Lord, in view of the decisions already come to by the Council, whether it is in order to move this amendment. I have my doubts about it. If this amendment is passed, it will not be quite in conformity with the decisions which the Council has already arrived at."

The President said :—

"Yes, I think the Hon'ble Member is right. He proposes to leave out sub-clause (*h*) of clause 111 (now clause 101) which gives power for 'regulating the powers and duties of union boards in regard to the control to be exercised by them, over dafadars and chaukidars within the union'. The Hon'ble Member suggests that if that amendment is carried that would be contrary to the decision which has already been arrived at by the Council. I think he is correct; it would be so. Under these circumstances he is not in order in moving it."

The motion was then deemed to be withdrawn.

AMENDMENT No. 212.

The following motion was also covered by a previous decision of the Council and was deemed to be withdrawn.

The Hon'ble Babu Akhil Chandra Datta to move that the words "of dafadars, and" in line 1 of sub-clause (*2*) (*i*) of clause 111 (now clause 101), be omitted.

The Hon'ble Sir Henry Wheeler said :—

"With your permission, and in connection with a previous amendment accepted by this Council, I will now move, Sir, that after sub-clause (*i*) of clause 111 (now clause 101) the following be inserted, *viz.*:—

'(*ia*) prescribing the processes to be served by dafadars or chaukidars and regulating the service of such processes'.

The amendment will be understood in the light of the discussion that we had yesterday.

The motion was put and agreed to.

AMENDMENT No. 213.

The Hon'ble Member being absent the following motion was deemed to be withdrawn :—

The Hon'ble Maulvi A. K. Fazl-ul-Haq to move that after sub-clause (*2*)(*n*) of clause 111 (now clause 101), the following be inserted, namely :—

"(*nn*) fixing the period within which, and the manner in which, an appeal under section 61, sub-section (*3*), shall be preferred."

AMENDMENT No. 214.

The Hon'ble Rai Radha Charan Pal Bahadur moved that item 3 in column 4 of Schedule I, be omitted.

He said :

"The object of item No. 3 in column 4 of Schedule I is to enable local boards to be established even for parts of sub-divisions while section 6 of

the Bengal Local Self-Government Act lays down a sub-divisional area to be the minimum local board area. The original Bill contemplated the substitution of circle boards for local boards, the circle boards comprising only parts of a sub-divisional area. The Select Committee have retained the local board, though the amendment of section 6 of the Bengal Local Self-Government Act in the manner would enable Government to create local boards for what were proposed to be circle board areas. So the distinction between local boards and circle boards would be more in name than in substance.

Section 6 of the Bengal Local Self-Government Act should be left as it is, and local boards should not be permitted to be established for less than sub-divisional areas. In justifying the elimination of the circle board the Select Committee observed: 'We accept the view that the functions to be exercised by such bodies would be inadequate to confer a status likely to attract energetic members or to give them a keen interest in their work.' If the local boards are to exercise an efficient control over union boards placed under their supervision, they must be composed of men who are of a type superior to the members of the union boards and we cannot have such a type of men unless we include the sub-divisional headquarters within a local board area. Moreover, a too close control—such as would be exercised by local boards for areas smaller than sub-divisional areas would tend to make the union boards lifeless. Whatever supervision there is to be over these little self-governing units it must be exercised from a distance and by persons capal le of efficiently exercising such control. There is also a risk that if areas smaller than sub-divisional areas are constituted into local boards, the circle officer may be in a position to impose his will on these weak bodies and reduce them to mere tools in the hands of the executive. It is very significant that under the scheme propounded by the District Administration Committee, the circle officer was to have been the chairman of union boards. This feature has, no doubt, been omitted in the Bill. But if we have miniature local boards of the same size as the circle boards, the circle officer, though not actually the president, will virtually be their dictator. Question of cost is important too. By having a larger number of local boards, establishment charges would be increased. Everything will have to be met from local taxation, since Government are not definitely committing themselves to any contribution. District boards are also not very affluent. Too close a control was not favoured by the Decentralization Commission even in matters of finance and audit. In every matter it is now proposed to have too close control."

The Hon'ble Mr. O'Malley said :—

"My Lord. I may explain the reasons which led the Select Committee to insert this item in the schedule. Local boards have been established throughout all but five districts in which the Local Self-Government Act is in force. Two of these districts (Bogra and Malda) have no sub-divisions, and have therefore no local board. There is also no local board in the district of Chittagong or in the Sadar sub-division of Dinajpur and the Sadar sub-division of Jalpaiguri. With reference to that, I may mention that the question of establishing local boards in the district of Chittagong has been kept in abeyance, because this Bill, as introduced, provided for circle boards; and it was felt that there would be little object in introducing local boards when they would be replaced in a short time by circle boards. Now that the idea of establishing circle boards has been dropped, the question of introducing the local board system in Chittagong will be taken up.

To re vert to the amendment, the Local Self-Government Act allows Government only to establish a local board for a whole sub-division or two or more sub-divisions, and the object of this item in the schedule is to enable Government to establish local boards for parts of sub-divisions.

The reason is first that, as explained by the Hon'ble Sir Henry Wheeler when the Bill was previously under debate, it will be necessary to introduce the Act gradually and in selected areas. To take the case of the districts in which there are at present no local boards, it may not be possible to introduce the Act at one step in the whole of the districts of Bogra and Malda. It may be desirable first to introduce it in parts only of those districts; in that case it will be desirable that a local board, as the controlling authority over union boards, should be established only for that part of the district in which union boards are established. In the rest of the district, the District Boards would continue to have direct and exclusive jurisdiction. Again, in the sadar sub-division of Jalpaiguri it might not be desirable to introduce the Act and to establish union boards throughout the whole area. The tea-garden coolies are not a very advanced population and would not form a suitable material for such an advanced system as the Bill contemplates. Outside the tea-garden areas, however, it might be possible to establish union boards, and in that case it would be possible for Government by this amendment of the Local Self-Government Act to establish a local board for the area having union boards. That is the main object of this amendment of the Local Self-Government Act.

The Select Committee also had in view a contingency which is at present remote *viz.*, that in the course of time the local boards, with the growth of union boards and the consequent expansion of their work, will find it difficult to exercise effective supervision over the whole number. The Hon'ble Mover has not realised what a large number of union boards will be established throughout the districts. The average per district would be about 250. It is to meet such a contingency that this amendment is partially designed. If any local board finds it impossible to get through its work, it will enable the Government to give it a smaller area of control by establishing smaller boards. This, however, is a contingency which is not likely to arise for some time, and the item in the schedule is for the present contemplated to meet only the cases of the districts throughout which local boards have not been established. This item is therefore necessary, and I am unable to accept the amendment."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have tried to follow the Hon'ble Mr. O'Malley's speech and as far as I understand him I think he says that such places as Bogra and Malda have no local boards as there are no sub-divisions. But it is necessary to have local boards intervening between the district boards and union boards. What I fail to understand is that when the district has not yet been sub-divided into sub-divisions it seems that there is no necessity for having a local board there. Further, I would like to quote the Hon'ble Mr. Hart's opinion on this point. He says that it is not necessary to have intermediate bodies as circle boards or local boards. I think that it will be considered sufficient if the union boards are supervised by the standing committees of the district boards. Supposing Malda and Bogra have the district board standing committees to supervise their union boards, I do not think there will be any difficulty."

The Hon'ble Mr. O'Malley said :—

"My Lord, may I refer the Hon'ble Member to clause 55A (now clause 50) of the Bill which says that subject to the control of the district board, a local board shall supervise the administration of union boards."

Rai Radha Charan Pal Bahadur; Babu Akhil Chandra Datta;

Sir Henry Wheeler; The President.

The Hon'ble Rai Radha Charan Pal Bahadur (continuing) said :—

"My Lord, I quite understand that clause; but that clause gives th local Government the discretion to add to the number of local boards. Wha I say is—that it is necessary to ensure supervision. The provisions of th present Bill are quite sufficient to carry out the supervision of the unio boards; and if the contingency to which the Hon'ble Member has referre arises, I think that the district board in such a small district as Malda wil be able to manage it by their standing committees.

Further, it has been stated that there might be on an average 25 union boards in a district. It may be so; but these boards will be supervise by two bodies—*first* by the local board and then by the district board. Wher there are no local boards in smaller areas, the district boards will be able t look after them and the creation of union boards will add considerably to th cost of the self-governing institution, which I submit is unnecessary. Th objection against the circle boards applies to this clause also. A grav impediment to the success of this measure is that it involves a considerabl increase in the burden of taxation and that is also my experience in the cas of the present union committees."

The motion was then put and lost.

AMENDMENT No. 215.

The Hon'ble Babu Akhil Chandra Datta moved that items 4 and 5 i Schedule III be omitted.

He said :

"My Lord, in the course of the discussion on a previous amendment, have already submitted my reasons for objecting to the delegation of power by the District Magistrate to subordinate officials. Items 4 and 5 are the mos important items in Schedule III. In item 4, it is proposed to delegat the powers of appointment and dismissal of chaukidars and dafadars and i item 5 of the fining of dafadars and chaukidars, to the sub-divisional magis trate, superintendent of police or circle officer. My contention is that thes powers should not be delegated, because we have had complaints in the pas about the evil effects of the delegation of these powers by the distric magistrate to the police. I propose, therefore, that these two items b omitted from the schedule."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, yesterday in amendment No. 137 the Hon'ble Member sough to omit from the Bill the whole of Schedule III. His present proposal is t omit a part of it only. But, as the Council decided yesterday to retain th whole, I am not sure whether he is in order in asking for a modification of i in part."

The President said :—

"The motion that the Hon'ble Sir Henry Wheeler is referring to is t omit clause 52 (now clause 47) and Schedule III. I pointed out at the time that the Hon'ble Member could not then deal with Schedule III, and that he would have to wait till we came to it. The question which I then put was that clause 52 be omitted and that was negatived; but that does not prevent him from proposing an amendment for omitting certain items from the schedule."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I am sorry that I misunderstood your Excellency's remarks. As regards the merits of the proposal, the amendment, if accepted, will require that the appointment, dismissal and fining of dafadars and chaukidars must be done by the district magistrate throughout the whole district. I have very little to add to what the Hon'ble Mr. Kerr said yesterday in connection with amendment No. 137. It is an absolute impossibility for the district magistrate personally to discharge all these functions throughout the district, and it would not be satisfactory that he should attempt to do so. It is far better to delegate these powers to somebody, *i.e.*, the sub-divisional officer, the superintendent of police or the circle officer, who is more closely cognizant of the facts and the circumstances which regulate them. For the reason that the adoption of this proposal will seriously impede the administration of the Act, I oppose the amendment."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, it is said that it is not possible for the district magistrate to discharge all these functions and the power must necessarily be delegated to somebody. Now, what will be the result? The result will be the continuance of the old system. Athough there has been a good organisation of the chaukidari union, although the union board is formed with larger powers and although the chaukidars are admitted to be the servants of the union boards, still, for all practical purposes, they will be the servants of the police. So, the present position will be continued and no improvement will be effected of this very important question. For these reasons, I would press this amendment."

The motion was then put and lost.

AMENDMENT No. 216.

The Hon'ble Babu Akhil Chandra Datta moved that the words "circle officer" and "superintendent of police," wherever they occur in column 2 of Schedule III be omitted.

He said :

"My Lord, as regards this amendment my submission is that, in the first instance, I moved for the omission of Schedule III. That has, of course, been negatived, then I moved that out of the several items of that schedule, items Nos. 4 and 5 be omitted. That has also been negatived. My only alternative is now to move that in items Nos. 4 and 5, the words 'superintendent of police or circle officer' wherever they occur may be omitted. As a matter of fact, however, these words occur only in items Nos. 4 and 5. In other words, the result of the acceptance of this amendment will be that so far as the sub-divisional magistrate is concerned, the authority of the district magistrate in these two matters may be delegated to the former and *not* to the superintendent of police or circle officer. I have nothing further to say as I have already stated my reasons."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the result of the amendment, if accepted, would be that the district magistrate could only delegate these powers to the sub-divisional magistrate and not to anybody else. At present, he can delegate authority to the superintendent of police, and this practice has been in force since 1892, when the right so to delegate was introduced by the amending Act of that

year. Sir Henry Cotton then explained that this delegation had not been given at the time of the Act of 1870, mainly because the position of the superintendent of police at that time had not been clearly defined or understood. He further remarked :—

'When the Act of 1870 was passed, it was thought expedient that all power and control in regard to the village watch should rest with the magisterial authorities only, not with the heads of the department. However, there has been some changes since those times, and there is now no doubt in the minds of anyone as to the exact position and relations between the magistrate of the district and the district superintendent. In these circumstances it was thought it would be administratively convenient to empower the magistrate of the district to delegate his authority, subject to the sanction of the Commissioner, to the district superintendent of police, if he should wish to do so in preference to any magisterial officer subordinate to him. By such delegation, * * * * he will be merely giving effect to the principle which underlies all the old Regulations in Bengal with regard to the relations between the village watch and the regular police. At the same time the power, if so delegated, will have a tendency to result in the improved organisation of the village watch, which is one of the main objects of the Bill which I have introduced into Council.'

These, Sir, were the reasons for which the power was not given in 1870, but was given in 1892. Since then it has been exercised in various ways in different districts without any inconvenience to the administration and without any bad results ; and I submit that there is no justification for seeking to eliminate the authority of so delegating.

The question of circle officers is no doubt more new, as they are a newer creation ; but we hope that they will play an important part in the development of village self-government. In this connection, I would like to correct an impression which the Hon'ble Babu Akhil Chandra Datta sought to convey earlier in the day, that the District Administration Committee favoured the cry of developing village self-government merely for the sake of securing the appointment of circle officers. The facts are far otherwise. They regarded the circle officer throughout as one of the most fundamental factors in the success of any scheme of village self-government, and that was not only their experience, but it is the experience of all those who have at one time and another enquired into the matter. I have previously referred to two enquiries made by committees presided over by Mr. Beames and Mr. Monro. The finding of both these committees was that part of the reason of the failure of the chaukidari administration lay in the absence of any agency which could exercise supervision. Failing that agency, resort had to be had to the police, but although these committees strongly recommended that if anything was to be done to improve the chaukidari panchayats and to bring them under influence other than those of the police, it must be by the creation of a subsidiary agency which did not then exist ; nothing was ever done in that direction. When I enquired into the matter in 1905-06, I again drew attention to this defect and pressed the point ; but just as the recommendations of these two earlier bodies were disregarded, so too my small recommendation did not get through. The District Administration Committee after examining these old papers again came to the same conclusion. To substantiate my contention regarding the importance which they attached to this point, I would read a few extracts from their report. This is what they said in paragraph 94 :—

'The proposed scheme (of circle officers) is one of great administrative importance, for it contemplates the creation, not only of a village organization which it may be possible to utilize as the basis of real local self-government in Bengal, but also of a supervising local agency, without which no village system can ever be expected to work satisfactorily.'

In another paragraph, they referred to the detriment to the working of the system which had resulted from the constant interference of the police, which, though not contemplated by law, had to be employed in the absence of

any other agency. This was exactly the contention of Mr. Beames' and Mr. Monro's committees and of myself. In paragraph 97, the District Administration Committee observed :—

'Over and over again it has been pointed out that, without at least one whole-time special officer to supervise the work of the panchayats in each district, the president system was bound to fail, but the question has invariably been shelved on some ground or other, and, until the recent deputation of Mr. Weston and Mr. J. N. Gupta to supervise the introduction of an experimental circle system into certain selected sub-divisions, practically nothing was done.'

This finding shows that the failure of the chaukidari panchayats and union committees, as also of Mr. Savage's president system was due to the want of adequate supervision. As regards the latter the Committee remarked in paragraph 96 :—

'The initial mistake was made of attempting to introduce it without the special supervision, which both Mr. Savage and Mr. Wheeler, from the first, had strongly insisted upon as necessary to its success.'

'So, Sir, I submit that the circle officer is meant to fill a very definite place in the development of village self-government which we all wish to see, and that it would be a fatal mistake to endeavour to deprive him of the powers which, by delegation, it would be possible to give him under the Bill as it stands."

The Hon'ble Babu Akhil Chandra Datta said :—

" My Lord, I wish to touch on two points in reply. In the first place, if it is known that the district officers will not be able to discharge their functions and as a matter of necessity these powers will have to be delegated to the subordinate officials, it is difficult to understand why the power should be retained at all in the Bill for the district magistrate. Would it not be better in that case to lay down expressly that this power is to be exercised by the superintendent of police or the circle officer ? That would have been more proper and people would have known what the position exactly was.

" Then, my Lord, it is said that the quotations that have been made from the report of the District Administration Committee show that the circle officer is an essential factor in the scheme of village self-government which is sought to be developed by the Bill before us. That is a point, my Lord, on which we have not of course agreed. I only submit this that I am sure some years after it will be realised that if the very good effort made by Government to develop the village self-government fails, it will only fail on account of the institution of their plan of circle officers."

The motion was then put and lost.

AMENDMENT No. 217.

The following motion was held to be covered by the decision on the previous motion and was deemed to be withdrawn :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that the reference to " circle officer " in item 4 and in item 5 of Schedule III be omitted.

AMENDMENT No. 218.

The following motion was, by leave of the President, withdrawn :—

The Hon'ble Maulvi Abul Kasem to move that for the words " twenty rupees " in the last line of item 4 of Part A of Schedule IV, the words " twenty-five rupees " be substituted.

AMENDMENT No. 219.

The Hon'ble Babu Akhil Chandra Datta moved that for the word and figures "and 411", at the end of item 4 of Part A of Schedule IV, the figures and word "411, 456 and 457" be substituted.

He said :

"My Lord, this schedule (IV) defines the offences triable by a union bench. Item 4 gives a list of some sections of the Indian Penal Code under which the offences will be triable by a union bench. In this case I do not ask for any substitution but propose the addition of two more offences, these offences being under sections 456 and 457 of the Indian Penal Code, *viz.*, the offences of lurking house-trespass or house-breaking by night ; in section 457 there is an additional element that the offences may be committed with the object of committing some offence. The object why I have made this proposal is that from our experience we know—and that is also corroborated by the report of the Police Department—that this class of cases, *viz.*, of house-trespass and house-breaking by night, is by the very nature of the offences such that it is very difficult for the police to detect the criminals. Of course, in some cases the offenders are caught red-handed in the very act of committing these offences and they are detected, without the help of police. But in cases where the offenders are not detected red-handed, it is very difficult for the police to make the detection, not because the police are inefficient, nor because the police are corrupt, but because from the very nature of the offence it is very difficult for them to do so. If there is a case of house-breaking, the offence is committed at dead of night, and as there are no eye-witnesses to prove the crime it is impossible for the police to find out the criminals. This fact is corroborated by the result of the police investigation as shown in the reports of the Police Department. Therefore, it is believed by some people who have got experience of this matter that these offences might very well be transferred from the jurisdiction of the police to the jurisdiction of the village benches—if they have jurisdiction the aggrieved party can go to the village courts, and these courts consisting of members of the village and of the locality will be in a better position to do justice to cases under this clausethan other people. That is the object of this amendment."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, Schedule IV, Part A of the Bill defines the cases which shall be triable by the union bench if committed within their jurisdiction. It was deliberately drawn on cautious lines as this experiment of union benches is new. They have yet got to be tested and prove their capacity, and it was not thought expedient to entrust them, especially at the outset, with the trial of cases of much importance. If we accept the amendment we should ordinarily make triable by them the offences of lurking house-trespass by night, and house-breaking by night with intent to commit an offence punishable with imprisonment. These may be very serious offences. In form, too, the amendment is defective as it would make these offences triable when the value of the property in the opinion of the union bench is not over Rs. 20, but the element of property might not necessarily come into these two sections, and, if not, I am not quite clear how the amendment would be construed. But my main objection is that these are important offences which very often involve previously convicted bad characters for whom the limit of punishment which the union bench can give would be quite inappropriate. For these reasons, I would prefer not to go beyond the schedule as now framed. In what way this change would facilitate the detection of these offences, I do not

understand. I fail to appreciate the Hon'ble Member's argument, and if my memory is not at fault, I think he opposed a suggestion that the chaukidar should have power to arrest a person found in possession of an implement of house-breaking, among others, which is far more in the direction of prevention than the trial of the case. The trial of the case presupposes that the accused has already been caught."

The Hon'ble Babu Akhil Chandra Datta said :—

"I do not think any useful purpose will be served by additional observations. I therefore beg to withdraw this amendment."

The motion was then, by leave of the President, withdrawn.

AMENDMENTS Nos. 220 AND 221.

The President said :—

"The next two amendments Nos. 220 and 221 have got misplaced. Amendment 221 will be taken up first and then 220."

Amendment No. 221 was as follows :—

The Hon'ble Maulvi Abul Kasem to move that after item 4 of Part A of Schedule IV the following be inserted, namely :—

"5. Cases under sections 133 and 145 of the Code of Criminal Procedure, 1898."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am told that it will be unwise to invest the union boards with these extensive powers which I propose to give them by this amendment ; therefore, I do not think I will be justified in detaining the Council over this amendment."

The motion was then, by leave of the President, withdrawn.

Amendment No. 220 was as follows :—

Also to move that for the words "twenty rupees", in lines 4 and 5 of Part B of Schedule IV, the words "fifty rupees" be substituted.

The Hon'ble Babu Akhil Chandra Datta said :—

"I want to follow the footsteps of my friend the Hon'ble Maulvi Abul Kasem and withdraw this amendment."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 4.

The Hon'ble Sir Henry Wheeler moved that the Secretary be directed to renumber the clauses and sub-clauses of the Bill in consecutive order and to make corresponding alterations in all cross-references thereto.

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble Sir Henry Wheeler also moved that the Bill, as settled in Council, be passed.

He said :

"After the lengthy discussions of the last two days, I do not propose to make a speech, but would merely put the motion as it stands."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, before the motion is put to the vote, I desire in person to congratulate your Excellency's Government, and your Excellency in particular, on the fairly smooth passage of this Bill through the Council. It was resubmitted to the Select Committee, a procedure which, at one time it was thought, would mean a great deal of delay. Fortunately that apprehension has proved to be unfounded and by this somewhat unusual procedure the ground was considerably cleared. By bringing your Excellency's Government into 'the court,' of the Select Committee, we have got our 10 per cent. 'discount' and a great many amendments have been accepted. If we have not done better it is more our misfortune than our fault. Non-official members have rarely been in their places and have freely differed from one another. As I had occasion to point out and claim before, we are guided by individual judgment and do not favour *cliques* and *caucuses*. We have also done our very best to do away with misapprehensions in the minds of your Excellency's Government that there would be delay and obstructiveness. Whatever may be our different points of view, this Bill will be the first step towards that great goal of self-government towards which we are all looking forward, each in our own individual way. Your Excellency on assumption of office made this measure your particular care and I congratulate your Excellency on the successful ending of your worthy labour. When the Reforms Scheme comes into operation, we shall have the initial means ready to begin this new and great service of the country."

The motion was then put and agreed to.

The President said :—

"It is usual for the President to say a few words at the conclusion of the session as to the work which has been done. We have just had three rather long and strenuous days and I propose, therefore, to be very brief in such remarks as I shall make in regard to the past session. The Council, I think, may congratulate itself upon the most fruitful session from the legislative point of view which it has enjoyed for some years past. Several Bills have reached the Statute Book and one or two are very nearly there. Our old and familiar friend, the Calcutta Hackney Carriage Bill, has at last become the Calcutta Hackney Carriage Act. Even though we may not all of us appreciate the actual benefits which that measure confers upon the community, I am sure that for other reasons we are thankful to think that it has passed beyond the purview of this Chamber. Another measure of value, though not a very large measure, for which the Council have been responsible during the past session, is the Bengal Tenancy Amendment Act of 1919, upon the passage of which I would congratulate both the Hon'ble Mr. Cumming and the members of this Council.

Then I must make a passing reference to two measures, the passage of which marks a new stage, I think, in the development of legislative practice in this country. I refer to the Juvenile Smoking Act of 1919 and to the Bengal Primary Education Bill, the latter of which has passed this Council and is now awaiting the sanction of His Excellency the Viceroy. I say that these two measures mark a fresh stage in the legislative practice of this country, because they are, I believe, the first enactments for which private members of the Bengal Legislative Council have been responsible. I would like to take this opportunity of congratulating the authors of these two Bills—

the Hon'ble Dr. Suhrawardy, the author of the Juvenile Smoking Bill, and the Hon'ble Babu Surendra Nath Ray, the author of the Bengal Primary Education Bill—upon the passage of these two measures. Both of them have valuable possibilities. There may be some difference of opinion as to the extent to which the various authorities, who will be authorized under the Juvenile Smoking Act, to adopt a punitive attitude towards small boys, will put it into practice. At any rate the passage of the Act establishes the principle that it is one of the duties of the legislature to assist the public to bring about such changes in the habits of the people as it believes to be desirable and salutary. With regard to the Bengal Primary Education Bill, I should like to express my personal satisfaction, and, I think, I may say the satisfaction of my Government, at the passage of that measure. The whole question of primary education was under the consideration of the Bengal Government, and in particular of my hon'ble colleague the Maharajadhiraja Bahadur of Burdwan, when this Bill was introduced, and the Bill, as amended by the Select Committee, fitted in so well with the views which we had formed as to the best methods of proceeding with a view to extending primary education in Bengal that we accepted it with satisfacation and gratitude. I believe that a large step in advance will be made in the direction of extending primary education as a result of the provisions of the measure.

One other Bill has advanced appreciably during the past session and that is the Food Adulteration Bill, another measure to which both the Government and, I am sure, the Hon'ble Members of this Council attach great importance. The report of the Select Committee upon the Bill has been presented, and I hope that it will be possible for us to take it into consideration dur ng the forthcoming summer session of the Council.

Finally, we have this afternoon concluded our labours upon the Village Self-Government Bill, and I would express my appreciation of the kindly remark which fell from the Hon'ble Sir D. P. Sarbadhikari when the Bill was on the point of being accepted by the Council a few moments ago.

I should like also to express my thanks to the many Hon'ble Members of this Council for the assistance and co-operation which they have given us in giving this measure its final shape. In particular I would like to express my thanks to the members of the Select Committee for giving so much time and so much labour to the matter. It would be ungrateful of me also if I were not to take this opportunity of expressing to the Hon'ble Sir Henry Wheeler my thanks for the immense amount of time and labour which he has given to the measure. That time and labour has been over and above the time and labour which he has to devote to his ordinary duties. But for the unfortunate illness of the Maharajadhiraja Bahadur of Burdwan the Bill would have been conducted through the Council by him. I mention that because I think it is only fair to Sir Henry Wheeler who has had very heavy additional duties thrown upon his shoulders that we should express to him our thanks and appreciation for the courteous manner in which he has discharged his duties.

That I think is all that I need say about our legislative output. As I have said I think it is the most useful legislative output for which this Council has been responsible for a good many years past.

So far as the other functions of this Council are concerned, namely, the criticism of the executive Government, I think Hon'ble Members may look back on a satisfactory session. They have moved a number of resolutions on matters of general importance, some 24 in all, and they have moved some 34 resolutions on the Financial Statement, they have also displayed a laudable desire for information by asking a number of questions, some 360

in all. The Government have at all times done their best to supply the information which has been asked for in these questions. I may point out that the mere figure of 360 does not by any means indicate the real number of questions asked, since a single question is very often divided up into a very large number of sub-heads, and I should say that the actual number of questions asked was nearer 1,500 or 2,000 than the number suggested by the official figures.

There is only one other piece of work to which I need make reference and that is the special session of the Council which was held in November last for the consideration of the Reform Scheme. Hon'ble Members will remember that a committee of non-official members of this Council was appointed as a result of that special meeting in order that they might consider the Reform Scheme and report to Government their opinions upon it. As a result of their labours the Government had placed in their hands a useful and interesting document which clearly indicated to them the views which non-official members of this Council take with regard to the different aspects of the Reform Scheme, and we are proportionately grateful to them for the time and trouble which they took in preparing their report.

It only remains for me to wish you a pleasant vacation until we next meet at a later period of the summer."

ADJOURNMENT.

"The Council now stands adjourned *sine die*."

A. M. HUTCHISON,
Secy. to the Government of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA :
The 9th May, 1919.

B. S. Press—5-6-1919—347J—350—W. C. M. and others

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Thursday, the 3rd July, 1919, at 11 A.M.

Present:

HIS EXCELLENCY THE RIGHT HON'BLE LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., D.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. LANG.

The Hon'ble MR. J. F. GRAHAM.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. S. W. GOODE

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. T. O. D. DUNN.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble SIR FRANK CARTER, KT., C.I.E., C.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

QUESTIONS AND ANSWERS.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

The Hon'ble Mr. Lang, the Hon'ble Mr. Graham, the Hon'ble Mr. Goode and the Hon'ble Mr. Dunn made an oath of their allegiance to the Crown.

The following questions which had been starred were put and answered :—

STARRED QUESTIONS.

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***1.**

(*a*) Will the Government be pleased to state what officer is in charge of the drinking water reserve tank in Diamond Harbour known as *Talpukur?* Drinking water reserve tank in Diamond Harbour.

(*b*) Has any notice been taken of the deterioration of the tank and its embankment?

(*c*) Are the Government aware that it is full of weeds and rank vegetation?

(*d*) Is it the only reserve tank to supply good drinking water in the Hajipur area?

(*e*) Will the Government be pleased to state whether they are taking any steps to preserve the tank in good condition and to improve it?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Sub-divisional Officer of Diamond Harbour.

(*b*) and (*c*) It is reported that the tank has not deteriorated. There are some red lotuses in the middle of the tank and a fringe of weeds round it. The vegetation will be cleared as usual after the rains, when the annual repairs to the embankments will also be carried out.

(*d*) Yes.

(*e*) All necessary steps to keep the tank in good condition are taken every year."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***11.**

(*a*) Are the Government aware that the Diamond Harbour creek beyond the cross dam has silted up, and that the area has become marshy and wild vegetation is growing on the silted up channel rendering the place unhealthy? Silting up of the Diamond Harbour creek

(*b*) Is there any proposal to reclaim the area?

(*c*) If so, are the Government considering the desirability of taking steps for such reclamation before the rains set in?

(*d*) Are the Government aware that the only communication between Hajipur and Diamond Harbour is a circuitous road over the cross dam?

(*e*) Are the Government considering the desirability of making an easy and direct road between the two banks of the creek connecting Hajipur with Diamond Harbour?

Answer by the Hon'ble Mr. Goode:—

" (*a*) Yes.

(*b*) and (*c*) The ground within the creek is not yet fit for reclamation as tidal water still overflows it. A town planning scheme for Diamond Harbour is however under contemplation and the ground will be reclaimed when this scheme is carried out.

(*d*) Yes.

(*e*) A cross dam near the river bank is part of the town improvement scheme."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***III.**

(*a*) Are the Government aware of the opinion expressed that one reserve tank at Hajipur is not sufficient for that extensive and populous area?

(*b*) Are the Government also aware that there is a large boat traffic in Diamond Harbour and that another reserve tank is greatly needed in Hajipur?

(*c*) Are the Government considering the desirability of providing such a tank in the silted up area caused by the old Diamond Harbour creek on the south side of the cross dam?

Answer by the Hon'ble Mr. Goode:—

" (*a*) The reply is in the negative.

(*b*) Government are aware that there is a large boat traffic in Diamond Harbour.

(*c*) This matter will be considered in connection with the improvement scheme referred to in the reply to question No. *II."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***IV.**

Will the Government be pleased to state when the creation of a new sub division at Vishnupur in the district of the 24-Parganas will be taken in hand, and when the Munsif at Baruipur is to be removed to Alipur as foreshadowed in the Government memorandum No. 3721 P., dated the 12th April, 1918?

Answer by the Hon'ble Mr. Kerr:—

" The formation of new sub-divisions in the 24-Parganas and other districts has been kept in abeyance for financial reasons and it is not possible at present to say when they will be carried out."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***V.**

(*a*) Are the Government aware that in the southern section of the Eastern Bengal Railway first and second class passengers are not provided in the trains with a lavatory, and that there is no drinking water available at the stations in the hot weather?

(*b*) Are the Government also aware that the third class and inter-class carriages in this section are generally in a dirty and untidy condition and are not usually provided with lavatory arrangements, and that the trains are very much overcrowded?

(*c*) If so, are the Government considering the desirability of taking such steps as may be necessary to redress the above grievances?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) The management of the Eastern Bengal Railway reports that the 1st and 2nd class carriages which run on the southern section are not provided with lavatories. The distances between Calcutta and the several termini on this section are 37, 28 and 17 miles respectively and the longest time taken on any of the journeys is a little over two hours. Lavatories for the use of 1st and 2nd class passengers are provided at all the terminal stations and at Ballygunge, Sonarpur, Baruipur and Magrahat. In view of the conveniences provided it is not considered necessary to provide lavatory accommodation in carriages for short-run journeys.

Drinking water is procurable at the terminal stations and at Ballygunge, Sonarpur, Baruipur, Magrahat, Ghutiyari Sharif, Champahati, Kalighat and Majherhat.

(*b*) It has been ascertained from the management of the Railway that the 3rd and inter-class carriages on this section have become dirtier and more neglected in appearance during recent years owing to circumstances arising out of the war, which have precluded renovation and renewal of coaching stock to the extent that is desirable. Lavatories are not provided in these classes of carriages for the reasons stated in the reply to question (*a*) above. A recent census shows that there have been a few instances of overcrowding due chiefly to fluctuations of traffic from day to day and only occasionally to variations in the capacity of the trains.

(*c*) Endeavours are being made to improve the train service, but the management is still labouring under the difficulties created by the war. As new stock is constructed, an improvement may be expected. In regard to overcrowding, two of the train compositions have recently been strengthened."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***VI.**

With reference to the resolution regarding the organization of the cloth weaving industry which was accepted at a meeting of the Council on the 3rd July, 1918, will the Government be pleased to state what steps (if any) have been taken in pursuance thereof, and with what results? Organization the cloth weaving industry.

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the statement made by the Hon'ble the Revenue Member in charge in connection with the said resolution. This was accepted on the understanding that the agencies for any advance should be, first, the Co-operative movement, secondly, the Weaving Institute, and thirdly, agricultural improvements. On these lines Government were already taking action. As an interesting advance has been made by the Department of Co-operative Credit, a copy of a note on the subject written by the Registrar, Co-operative Societies, is laid on the library table. The Hon'ble Member is also referred to the answers given to his questions Nos. VII and VIII."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***VII.**

With reference to the reply to my unstarred question No. XL of the 3rd July, 1918, will the Government be pleased to lay on the table the result of the inquiry regarding the possibility of reviving the indigenous *charkas* for the spinning of yarns? Revivificati of the indig *charkas* for spinning of yarns.

Answer by the Hon'ble Mr. McAlpin:—

"Copies of—

(*1*) the Press *Communiqué* of the 28th October, 1918, and

(*2*) Mr. N. N. Pillai's report

are laid on the library table."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***VIII.**

Improvement of cotton cultivation.

(*a*) Will the Government be pleased to state what steps (if any) have been taken in pursuance of the resolution regarding the improvement of cotton cultivation, which was carried at a meeting of the Council held on the 19th August, 1918?

(*b*) What are the results of the inquiry undertaken by Mr. N. N. Pillai in this connection?

Answer by the Hon'ble Mr. McAlpin:

"(*a*) The Hon'ble Member is referred to the Press *Communiqué* of the 28th October, 1918, of which a copy has been laid on the library table. In paragraph 9 of that *Communiqué* a reference was made to a recommendation that seed for home-spinning purposes should be imported and distributed in small quantities to those prepared to use the produce for home-spinning. Last January Government accordingly sanctioned a grant for the purchase of 1,100 maunds, which had been ascertained to be the requirements for this purpose of the Dharwar American variety for distribution free for the spring sowings Experiments at Dacca and elsewhere in the province had demonstrated the superiority of this variety. Meanwhile the Agricultural Department are continuing their investigations. The latest recommendation regarding the improvement of cotton cultivation in Bengal will be found in Chapter X of the Report of the Indian Cotton Committee, 1919.

(*b*) The Hon'ble Member is referred to the report which has been laid on the library table."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***IX.**

Cultivation of *rabi* food crops.

With reference to the answer to my unstarred question No. XLIII of the 3rd July, 1918, will the Government be pleased to state—

(*a*) what measures (if any) have been adopted for bringing about a more extensive cultivation of *rabi* food crops, and

(*b*) what conclusions were arrived at by the Provincial Agricultural Association in regard to this question last year, and how far they have been put into practice?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) *Rabi* seeds to sow 11,700 acres were distributed under the Agriculturists Loans Act in the flooded areas of Rajshahi and Bogra districts last October. This year arrangements have already been made to supply cash orders for about Rs. 20,000 worth of *rabi* seeds in the districts of Rajshahi, Bogra Pabna and Dinajpur.

(*b*) A copy of the conclusions of the Bengal Provincial Agricultural Association in regard to this question is laid on the table.

The answer to the second part of the question is given in (*a*) above."

Resolutions of the Bengal Provincial Agricultural Association at their meeting held in Calcutta on the 4th July, 1918, referred to in the reply to question No. IX (Starred).

Measures for increasing the cultivation of *rabi* food-crops in Bengal with the object of relieving railway traffic.

I. (1) The Association note that the following causes operate to discourage the more extensive cultivation of *rabi* food-crops in Bengal :—

(*i*) Before the crops can be harvested it is time to prepare the land for jute and other *bhadoi* crops.

(*ii*) Some kinds of *rabi* pulse crops following *bhadoi* crops are believed in some districts to impoverish the land and diminish the yield of the next *bhadoi* crops.

(*iii*) Low-lying land does not dry up early enough to admit of sowing a *rabi* crop in November.

(*iv*) Bengal *rabi* food-crops are generally of inferior quality and cannot compete with produce from other parts imported by railway.

(*v*) Cultivators are averse to the hard work involved in producing a good *rabi* crop

(*vi*) The necessary practice of letting cattle loose to graze in the rice-stubble after the harvest of winter rice causes much damage to *rabi* crops.

(*vii*) Red laterite soil and very low land are unsuitable for *rabi* crops, and the area which is suitable and not already used for *rabi* crops is strictly limited.

(*viii*) On certain soils *rabi* crops require irrigation for which facilities are not always available.

(*ix*) The outturn is uncertain.

(*x*) The plough cattle in Bengal are generally in poor condition after the rains.

(2) The Association deprecate any attempt to grow *rabi* crops as a substitute for a crop which has been found by experience to pay better.

(3) The Association note the opinions that in certain districts the extension of the cultivation of *rabi* crops is practicable to a limited degree without the curtailment of the area under other crops, and support the proposal for issuing loans under the Land Improvement Loans Act in Birbhum and Bankura for schemes for irrigation of *rabi* crops, and as regards seed recommend loans under the Agriculturists' Loans Act where such are required, and the supply of imported seed by the Agricultural Department at cost price and on cash payment to individuals and rural associations through the departmental seed stores. As an alternative method they recommend that Government should advance money for the purchase of seed to Agricultural Associations, or District Boards, and that the Associations or Boards should be authorized to advance money or seed on credit to cultivators without charging interest, but should be responsible for recovering the advances after the harvest and repaying Government in full, themselves bearing any loss due to short recoveries.

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***X.**

Increase in the pay of public servants.

(*a*) With reference to the discussion on the resolution moved by the Hon'ble Maulvi A. K. Fazl-ul-Haq at the Council meeting on the 19th August, 1918, suggesting an increase in the pay of public servants, will the Government be pleased to state whether the question is at present under their consideration?

(*b*) Have the Government received any representations from any branch of the public service in the matter? If so, will the Government be pleased to indicate the purport of each such representation and the orders passed thereon?

(*c*) Are the Government considering the desirability of making the necessary inquiries as to what steps (if any) have been taken for relieving the distress of public servants in the various offices and departments under the Government of India, and in the offices under the different Provincial Governments?

Answer by the Hon'ble Mr. Payne:—

"(*a*) The Hon'ble Member is referred to the *communiqué* issued on the 12th June, 1919, by this Government, a copy of which is laid upon the table.

(*b*) Representations have been received from many branches of the public service. The purport of all the representations has been the same, viz., that the prevailing high prices warrant some improvement in the pay of posts fixed when prices were generally lower. In some of the petitions increase of work and responsibility have also been urged.

In some cases a reorganisation of a particular cadre has been the result. Other cases have been considered to be met by the issue of the orders on which the *communiqué* is based. In other cases Government have been unable at present to do anything owing to financial reasons.

(*c*) The Government of Bengal are primarily concerned with conditions in this Presidency, although they are to some extent aware of the action taken by the Government of India and other Provincial Governments in the matter. The need of further inquiry in this direction is doubted."

Press communiqué *referred to in the answer by the* HON'BLE MR. PAYNE *to question No. X (Starred) asked by the* HON'BLE RAI RADHA CHARAN PAL BAHADUR *at the Council meeting of the 3rd July, 1919.*

GOVERNMENT OF BENGAL.

FINANCIAL DEPARTMENT.

CALCUTTA, THE 12TH JUNE, 1919.

PRESS COMMUNIQUÉ.

IN order to obviate in some measure the hardship caused to the lower ranks of Government servants by the existing high prices of essential commodities, the Government of Bengal have obtained the sanction of the Government of India to the payment of a monthly War allowance at the following rates—

	Rs.	Rs. A.
Those drawing over ... ... and not more than	12 / 20	1 0
Ditto	20 / 30	1 8
Ditto	30 / 40	2 0
Ditto	40 / 50	2 8

These allowances will be payable with retrospective effect from 1st April, 1919, and will continue until six months after the official termination of the War.

C. F. PAYNE,

Secy. to the Govt. of Bengal.

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XI.**

(*a*) Has the attention of the Government been drawn to the reply to the questions of the Hon'ble Maharaja Sir Manindra Chandra Nandi in the Imperial Legislative Council regarding the improvement of the Educational Service (*vide* question No. 29 published in the *Gazette of India* of the 8th March last), in which the Hon'ble Sir C Sankaran Nair stated that as regards the higher services, whose case was considered by the University Commission, in view of the delay likely to be entailed by its investigations and the framing of conclusions, personal allowances were granted in 1913 to certain members of the Provincial Educational Service whose special attainments or whose unsatisfactory position as regards emoluments appeared to justify such treatment and subsequently some allowances were given to the members of the Indian Educational Service whose interests were prejudiced by this inevitable delay? Improvement of the Educational Service.

(*b*) Will the Government be pleased to lay on the table a statement showing—

(*i*) the names of those officers in this Province to whom these special allowances were granted, and

(*ii*) the special circumstances in each case for granting these allowances and the principle which guided the grant of such allowances?

(*c*) Are the Government aware of the discontent that has been created among the members of the Provincial Educational Service educated in India owing to the grant of these allowances on what is believed to be the basis of education in England only, apart from the intrinsic merit or academic qualifications of the recipients?

(*d*) If so, what steps (if any) are being or have been taken to allay such discontent?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Hon'ble Member presumably means the Public Services Commission and not the University Commission. The reply is in the affirmative.

(*b*) (*i*) The names of the officers are as follows:—

Provincial Educational Service.

Sir P. C. Roy
Dr. D. N. Mullick.
Mr. S. C. Mahalanobis
Rai Bahadur P. Chatterji
Mr J. N. Das Gupta

Indian Educational Service.

Mr. B. Heaton.
Mr. H. R. James
Mr F. C. Turner.
Mr T. H. Richardson.
Mr J. R. Barrow.

(*ii*) The principles on which these allowances are granted were laid down by the Government of India. In the case of the Provincial Educational Service, officers were selected for allowances who possessed European qualifications and who by their academic attainments and the value of the work done by them in Government service seemed to deserve special treatment in anticipation of general measures for the amelioration of the service. In the case of the Indian Educational Service also allowances have

been given in deserving cases as a temporary measure of alleviation pending the result of the Public Services Commission, special consideration being given to cases of hardship where officers of long service had not attained to junior or senior allowances.

(*c*) The reply is in the negative.

(*d*) The question does not arise."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XII.**

University careers of certain officers of the Provincial Educational Service.

Will the Government be pleased to lay on the table a statement showing the university careers, in detail, both European and Indian, of the ten officers of the Provincial Educational Service recently promoted to the Indian Educational Service, stating degrees, Pass or Honours and division in case of Honours degrees?

Answer by the Hon'ble Mr. Goode:—

" Eight officers of the Provincial Educational Service have recently been promoted to the Indian Educational Service and not ten as stated in the question A statement giving particulars of their university careers, as far as available, is laid on the table."

Statement referred to in the answer by the HON'BLE MR. GOODE *to question No. XII (Starred) asked by the* HON'BLE BABU KISHORI MOHAN CHAUDHURI, *at the Council meeting of the 3rd July, 1919, showing the details of academic qualifications of the officers of the Provincial Educational Service recently appointed to the Indian Educational Service in Bengal.*

	Name		Qualifications
1.	Mr. J. N. Das Gupta	...	Oxford—B.A., 2nd class in the School of History and Jurisprudence. Barrister-at-Law.
2.	Dr. D. N. Mullick	...	Cambridge—B.A., 22nd Wrangler. Dublin—D.Sc. (obtained by Thesis), F.R.S.E.
3.	Rai Dr. P. Chatterjee Bahadur		Calcutta—B.A., Pass Course. Edinburgh—D.Sc. (obtained by examination and Thesis).
4.	Rai B. N. Das Bahadur	...	Calcutta—M.A., 1st class in Chemistry. London—B.Sc., 3rd class Honours.
5.	Mr. M. Ghosh ...	...	Oxford—B.A., 2nd class in Classical Moderations.
6.	Mr. S. C Mahalanobis	...	Edinburgh—B.Sc., F.R.S.E. After taking his degree acted as a Demonstrator in Botany to Professor Balfour, worked for a year in the Medical Research Laboratory at Edinburgh, acted for a year and a half as Assistant Professor in the University College of South Wales, Cardiff, where he also officiated for the Professor of Physiology. Was one of the three candidates from whom final selection was made for Professorship of Physiology at the University College, Bristol.
7.	Rai P. K. Basu Bahadur	...	Calcutta—B.A., Pass Course. M.A., 3rd class in Chemistry.
8.	Khan Bahadur Ahsanullah ...		Calcutta—B.A., Pass Course. M.A., 3rd class in Mental and Moral Philosophy.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XIII.**

(*a*) Are the Government aware that there has been an abnormal rise in the price of rice, mustard oil, pulses and *ghee*? High pri food-stuff

(*b*) Are the Government considering the desirability of controlling the price of these articles by district officers or other competent authority?

(*c*) Are the Government aware that the sufferings of the *raiyats* and middle class *bhadralok* are on the increase owing to the unusually high price of food-stuffs in general?

(*d*) If so, will the Government be pleased to state what steps (if any) they are taking to relieve their sufferings?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*), (*b*), (*c*) and (*d*) The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the same subject which will be moved at the present Council meeting."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XIV.**

(*a*) Is it a fact that Rai Kumudinikanta Banerji Bahadur is in receipt of a house allowance of Rs. 60 only since 1910? House allow of Rai Kumudiniki Banerji Bahadur.

(*b*) Is it a fact that he is given this allowance on condition that he should live in a house close to the college and its attached hostels?

(*c*) Is it a fact that he had to build a house at a considerable outlay as no suitable house was available?

(*d*) Is it also a fact that when he applied for a house building advance Government declined to sanction it?

Answer by the Hon'ble Mr. Goode:

"(*a*), (*b*), (*c*) and (*d*) In 1907 Rai K K Banerji Bahadur applied for house-allowance but the Director of Public Instruction was unable to grant it unless the Rai Bahadur took up his residence nearer the college hostels, so as to exercise closer supervision over them. There was no suitable house available and the Rai Bahadur asked for a building advance with the intention of building on a plot of land which he owned near the hostels This application was refused, as there was at the time a scheme for the construction by Government of quarters for the Principal of the college. This scheme did not materialize and the Rai Bahadur constructed a house of his own record on the land referred to. He was then granted a house-rent allowance of Rs. 60 a month with effect from 1st March, 1910."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XV.**

(*a*) Is it a fact that when Rai Kumudinikanta Banerji Bahadur took over charge of the Rajshahi College in 1897, it was in a moribund condition? Status of the Rajshahi Coll under the principalship Rai Kumudinikant Banerji Bahad

(*b*) Is it a fact that only 3 B. A.'s in pass course were turned out in the four years immediately preceding his appointment, and that since his appointment the college has been growing steadily and it is now one of the biggest colleges in Bengal?

(*c*) Is it a fact that the fee receipt in 1896 was about Rs. 4,000 and that it is now nearly Rs. 60,000?

(*d*) Is it a fact that his predecessor was an Indian Educational Service officer?

(*e*) Is it a fact that the numerical strength of the college is practically equivalent to that of the Krishnagar, Hooghly and Chittagong colleges put together?

(*f*) Is it also a fact that over one hundred graduates (B. A.'s and B. Sc.'s), many with high Honours, and about one hundred and fifty I. A.'s and I. Sc.'s are turned out annually by the college, and that these numbers are much greater than the numbers of graduates and under-graduates turned out annually by the Krishnagar, Hooghly and Chittagong colleges put together?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) During the 4 years preceding the appointment of the Rai Bahadur the college turned out 4 graduates in the pass course. When the Rai Bahadur assumed charge in 1897 the number of pupils on the rolls was 116, while the college is now one of the biggest institutions of its kind in Bengal. All credit is due to the Rai Bahadur for his admirable work as Principal, and in spite of the fact that his term of office has coincided with a remarkable expansion in the demand for collegiate education, no one can doubt that the development of the college is due mainly to his administrative ability and his zeal for the welfare of the institution.

(*c*) The figures are approximately correct.

(*d*) The reply is in the affirmative.

(*e*) It was almost so in 1917-18, but in 1918-19 the numerical strength of the three colleges exceeded that of the Rajshahi College by 123.

(*f*) During the last three years the average number of graduates and under-graduates from Rajshahi College have been roughly 100 and 125, respectively, as against averages of 70 and 132 for the other three colleges referred to."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XVI.**

Supervision of Rai Kumudinikanta Banerji Bahadur.

(*a*) Is it a fact that European officers such as Messrs. Billing and Shaw who were in the Provincial Educational Service and who were the Principals of the Krishnagar and Hooghly Colleges, respectively, have been promoted to the Indian Educational Service?

(*b*) Is it a fact that Rai Kumudinikanta Banerji Bahadur is seeking appointment elsewhere in consequence of supersession by his juniors?

(*c*) Is it also a fact that many senior professors are to be transferred during the ensuing session?

(*d*) Are the Government aware that the Rajshahi College is practically in its infancy and of the necessity of taking special care in the appointment of its Principal?

Answer by the Hon'ble Mr. Goode:—

"(*a*) There were special circumstances in Mr. Billing's case. His promotion to the Indian Educational Service was decided on when the services were reorganised in 1896 and he was promoted to the Indian Educational Service in 1898, having already officiated in the old graded service for 8 years. This Government have no information about Mr Shaw, who was in Class I of the Provincial Educational Service when the province of Bihar and Orissa was formed.

(*b*) It is a fact that Rai Kumudinikanta Banerji Bahadur has accepted temporarily a post under the Calcutta University as Inspector of colleges on Rs. 800 a month—a higher salary than he is now drawing in Government employ.

(*c*) Two professors have been transferred with the consent of the Governing Board. It is not proposed to transfer any other senior professor from the college.

(*d*) Government realise the necessity of taking special care in the appointment of the Principal."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XVII.**

(*a*) Will the Government be pleased to state whether they have issued any rules or notifications for controlling the sale of kerosine oil? Rules and notifications for controllin the sale of kerosene oil.

(*b*) If so, will the Government be pleased to lay on the table a copy of any such rules or notifications?

(*c*) Will the Government be pleased to state whether the rules in force for controlling the sale of kerosine oil are the same in the various districts of Bengal?

(*d*) If not, will the Government be pleased to state in what respects they differ?

Answer by the Hon'ble Mr. Payne:—

"(*a*) and (*b*) Government have not brought the sale of kerosine oil under control as contemplated in the Defence of India (Consolidation) Rules, 1915 Government, however, with the agreement of the Oil Companies, issued executive instructions to all district officers, pointing out that the sub-agents of the Oil Companies were under agreement to sell at certain wholesale rates, and instructing district officers to arrange with the sub-agents to appoint dealers who would agree to sell kerosine oil retail at prices fixed by the district officer with reference to the authorised sub-agents' prices.

(*c*) The same executive instructions were issued to all the district officers of Bengal

(*d*) Does not therefore arise."

UNSTARRED QUESTIONS.

(Answers to which were laid on the table.)

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

Mortality from tuberculosis in municipal and rural areas.

(*a*) Are the Government in a position to make a statement showing the variation in the death rate from tuberculosis during the last ten years in the municipal and rural areas respectively?

(*b*) What special arrangements are there in the public hospitals for the treatment of persons suffering from tuberculosis; and what is the extent of accommodation for such patients in such hospitals as have special tuberculosis wards?

Answer by the Hon'ble Mr. Goode:—

"(*a*) It is not possible to supply the information required as deaths from tuberculosis are not recorded separately.

(*b*) A statement showing the hospitals which have special wards for the treatment of persons suffering from tuberculosis and the accommodation in each is laid on the table"

Statement referred to in the answer by the HON'BLE MR. GOODE *to question No. 1 (Unstarred) asked by the* HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 3rd July, 1919, showing the head-quarters hospitals having special wards for treatment of phthisical patients and the number of beds in each.*

	Name of district.	Number of beds.
1.	Burdwan	8
2.	Birbhum	4
3.	Bankura	4
4.	Midnapore	6
5.	Nadia	4
6.	Jessore	4
7.	Khulna	6
8.	Mymensingh	6
9.	Noakhali	2
10.	Tippera (Comilla)	4
11.	Rajshahi	4
12.	Dinajpur	8
13.	Jalpaiguri	6
14.	Rangpur	6
15.	Bogra	4
16.	Pabna	4
17.	Presidency General Hospital, Calcutta	48
18.	Medical College Hospital, Calcutta	24
19.	Chittagong Hill Tracts, Head-Quarters Hospital	4

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

2.

(*a*) Will the Government be pleased to state the amounts that have been spent on inquiries in regard to stegomyia, year after year, and the result of such inquiries? **Expenditure stegomyia inquiries.**

(*b*) Will the Government be also pleased to make a similar statement in regard to the investigations in connection with diabetes?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) A statement showing the expenditure incurred by Government in regard to inquiries into stegomyia and diabetes is laid on the table.

Stegomyia Survey.—In 1912 a stegomiya survey was made of the port by Major MacGilchrist, I.M.S., As a result of his inquiry it was arranged to undertake an investigation in typical areas in Calcutta, and in 1914 effect was given to this by the deputation of an Assistant Surgeon, Dr. C. K Nandi, to work for one year under the Health Officer of the Corporation Dr. Nandi carried out a survey in two selected areas in the city. Subsequently, a further inquiry was made in 1915 by Major Christopher, who was deputed for the purpose by the Government of India at the request of this Government, and as a result of his report the Corporation recommended that a campaign against stegomiya on the lines suggested by him should be conducted first in the port under a specially qualified officer It was, however, found that there would be considerable difficulty in doing this owing to the port area being under the separate jurisdiction of several local bodies and the insufficiency of the powers of these bodies for the purpose in view. The first thing necessary was to establish a homogeneous sanitary control over the whole area The matter was, therefore, referred to a conference representing the different bodies concerned, which submitted a report and a draft Bill to give effect to their suggestions. A Bill known as the Calcutta Port Sanitation Bill, is now under the consideration of Government

Diabetes Inquiry.—The inquiry into diabetes by Major McCay and his co-workers in Calcutta has yielded valuable scientific results and has added to our knowledge of the pathology of the disease as well as indicating essential points in its successful treatment. A series of papers describing the results have been published in the Indian Journal of Medical Research

A copy of the report of Major MacGilchrist, a summary of Dr C. K. Nandi's survey, Major Christopher's memorandum and the report of the conference to consider the homogenous sanitary control of the port area are laid on the library table."

Statement referred to in the answer by the Hon'ble Mr. Goode *to question No. 2 (Unstarred) asked by the* Hon'ble Babu Brojendra Kishor Ray Chaudhuri *at the Council meeting of the 3rd July, 1919.*

Amount spent on inquiries in regard to stegomyia—

Year	Amount
	Rs.
1912-13	12,781
1913-14	Nil
1914-15	1,417
1915-16	1,776
1916-17	51
1917-18	100

Amount spent on inquiries in regard to diabetes—

Year	Amount
	Rs.
1915	9 178
1916	12,146
1917	11,946
1918	6,157

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Non-utilization of Imperial Grants for Education.

With reference to the non-utilized grants made by the Government of India for purposes of education, will the Government be pleased to state how much of the same is represented by—

(*a*) schemes which are not yet ready;

(*b*) schemes which have been forwarded to the Government of India but have not yet been sanctioned by them; and

(*c*) schemes which have been so sanctioned but have not been carried into effect by the provincial Government?

Answer by the Hon'ble Mr. Goode:—

	Rs.
"(*a*) (*i*) Schemes which are not ready ...	74,38,000
(*ii*) Schemes postponed on account of abnormal financial conditions	35,52,000
(*b*) Schemes not sanctioned by the Government of India	17,57,000
(*c*) Nil."	

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

4.

Defence of defended accused in sessions cases.

(*a*) Will the Government be pleased to make a statement showing the number of sessions cases in each district, in which the accused were defended at Government expense during the last two years, and the amount of expenditure incurred in that connection in each district?

(*b*) By whom is the selection of a pleader or pleaders made for the defence of such cases?

(*c*) Is it a fact that such selection is usually made on the recommendation of the court inspector or of the public prosecutor having charge of the prosecution of such cases?

(*d*) Are the Government considering the desirability of making a rule that such selection shall be made by the president of the bar association, on a reference to him by the sessions judge?

Answer by the Hon'ble Mr. Graham:—

" (*a*) A statement is laid on the table

(*b*) By the District Magistrate.

(*c*) No.

(*d*) No."

Statement referred to in the answer by the Hon'ble Mr. Graham *to question No. 4 (Unstarred) asked by the* Hon'ble Babu Brojendra Kishor Ray Chaudhuri *at the Council meeting of the 3rd July, 1919, showing the number of sessions cases in each district in which the accused were defended at Government expense during the last two calendar years, and the amount of expenditure in that connection in each district.*

District.	1917.		1918.	
	No. of cases.	Expenditure incurred.	No. of cases.	Expenditure incurred.
		Rs.		Rs.
Burdwan	1	30	1	50
Birbhum	1	20	2	55
Bankura	1	200	1	70
Midnapore	2	80	1	10
Hooghly	2	68	7	106
Howrah	3	96	2	64
24-Parganas	2	107	6	312
Nadia	1	10	3	106
Murshidabad	...	...	1	100
Jessore	...	...	5	166
Khulna	1	25	1	140
Dacca	...	...	4	112
Mymensingh	...	...	6	244
Faridpur	...	...	3	91
Bakarganj	1	128	13	643
Chittagong	...	...	5	432
Tippera	...	...	4	200
Noakhali	...	...	1	20
Rajshahi	2	40	6	424
Dinajpur	...	...	4	238
Jalpaiguri	...	...	1	25
Rangpur	...	...	2	64
Bogra	1	32	2	64
Pabna	1	64	...	...
Malda	1	18	1	15
Darjeeling	...	...	1	32
Chittagong Hill Tracts ...	...	...	1	50

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5. With reference to unstarred question No XL of the 19th August, 1918, will the Government be pleased to state what results have been obtained in Bengal from experiments in making paper-pulp from bamboo, and by whom were these experiments carried out? Paper-pulp experiments from bamboo.

Answer by the Hon'ble Mr. McAlpin:—

"Experiments have been made in Bengal with a view to producing paper-pulp from bamboo, but these experiments have been carried out by private firms who desire that the results should be kept confidential."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

Lease of a Chittagong forest for paper-pulp manufacture.

(*a*) Has there been any proposal for giving a lease of a Chittagong forest to Messrs. Andrew Yule & Co. for the manufacture of paper-pulp from bamboos?

(*b*) If so, on what terms?

(*c*) Is it a fact that objections have been raised by, among others, certain public associations of Chittagong, against the said proposal? If the answer be in the affirmative, what is the purport of such objections and what steps (if any) are the Government taking thereon?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes.

(*b*) The terms on which the lease, if it is eventually granted, will be given are at present under consideration

(*c*) It is a fact that objections have been raised by the Chittagong Association The main objections are that the forest reserve in question provides bamboos for the local needs of Chittagong and the Chittagong Hill-tracts; and that there will be a dislocation of the supply and a rise in local prices. The objections are being carefully considered and they have also been forwarded to the local officers for report."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

Date-*gur* and sugarcane investigations at Dacca Farm.

What progress has been made in Mr. Annet's investigations regarding date-*gur*, and what results have been obtained from the examination of Bengal varieties of sugarcane in regard to the sucrose contents of their juices, at the Dacca Farm?

Answer by the Hon'ble Mr. McAlpin:—

"The investigation into date-sugar has been in abeyance since the departure of Mr Annett from this province This is partly due to the urgent necessity of proceeding with the soil survey of the province; but chiefly because the work on cane-sugar is considered more important.

The work on sugar-cane has made considerable progress, as regards both the testing of exotic varieties and the classification of local races. Distribution of a superior cane has been proceeding for the past two years and careful arrangements are being made to make the distribution scheme as efficient as possible It is hoped that the work on cane-sugar will yield sufficiently definite results, in the course of the next two years, to allow of the resumption of the date-sugar investigation"

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

8.

River improvement in Dacca Division.

With reference to unstarred question No. 27 of the 19th December, 1918, have the Government received the project report from the Executive Engineer, on special duty, in connection with river improvement in the Dacca division? If so, what are the principal features thereof?

Answer by the Hon'ble Mr. Cowley:—

"The Executive Engineer on special duty has lately submitted projects for the improvement of the Sital Lakshya, Dolai and Tulsi-Khali *khals* in the Dacca district. Government are not prepared to make any statement concerning them until they have been fully examined."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

9.

What progress has been made in the proposal for the formation of a Water-ways Trust, since the reply to unstarred question No. 33 of the 19th December, 1918? Water-w Trust.

Answer by the Hon'ble Mr. Cowley:—

"The views of the Bengal Government in regard to the proposal for the formation of a Water-ways Trust were communicated to the Government of India last February and no further information is at present available."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10.

With reference to unstarred question No. 8 of the 18th February, 1919, what steps (if any) have been taken on the representation of the Dacca People's Association regarding the Dacca School of Engineering? Dacca Sch Engineerin

Answer by the Hon'ble Mr. Goode:—

"A report was called for from the Director of Public Instruction on the various points referred to in the representation, and has just been received. It is hoped to examine it early."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

11.

With reference to the statement made by the Hon'ble Mr. Wordsworth in connection with a resolution moved by the Hon'ble Maulvi A. K. Fazl-ul Haq on the 19th August, 1918, to the effect that "proposals for the development and improvement of the work of the Dacca School of Engineering are under consideration," will the Government be pleased to state what are the specific proposals under consideration, and whether any decision has been arrived at with regard thereto? Proposals f developing improving t work of the Dacca Scho Engineering

Answer by the Hon'ble Mr. Goode:—

"The main proposals are—

(*1*) Removal of the school to the old Secretariat Press Buildings.

(*2*) Appointment of a Governing Body and alteration of the designation of the head of the school from "Headmaster" to "Principal."

(*3*) Fixing of a consolidated grant for contingencies.

(*4*) Improvement of the staff.

Consideration of (*1*) has been postponed pending the receipt of the University Commission's recommendations. Definite proposals with regard to (*2*) and (*3*) have not yet been framed. The question of staff has received the attention of the Director of Public Instruction and his proposals for improvement have recently been received."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

12.

Is there any proposal for reviving the electrical and mechanical engineering courses at the Dacca School of Engineering and resuming the working of the power-house attached thereto? Electrical and Mechanical Engineering Courses at the Dacca School Engineering.

Answer by the Hon'ble Mr. Goode:—

"The reply is in the negative"

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

13.

Mechanical and Electrical Students of Eastern Bengal studying at Sibpur.

Will the Government be pleased to state the present number of students in each of the mechanical and electrical classes at Sibpur and how many of them belong to the different Eastern Bengal districts?

Answer by the Hon'ble Mr. Goode:—

"A statement is laid on the table."

Statement referred to in the answer by the HON'BLE MR. GOODE *to question No. 13 (Unstarred) asked by the* HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 3rd July, 1919, showing the number of students in each of the mechanical and electrical engineering classes at the Sibpur College.*

	Anglo-Indians	Indians— East Bengal	Indians— West Bengal	Indians— Other Provinces	Total.	Districts to which Eastern Bengal students belong
1st year ...	12	7	17	1	37	Dacca ... 5 Pabna ... 1 Rajshahi ... 1
2nd year ...	7	5	16	2	30	Dacca ... 1 Rangpur ... 1 Faridpur ... 1 Mymensingh .. 1 Chittagong .. 1
3rd year ...	8	Nil	5	2	15	
Practical Training	6	2	3	1	12	Chittagong ... 1
Total ...	33	14	41	6	94	

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

14.

Management of Chittagong Port.

(*a*) Is there any proposal for handing over the management of the port of Chittagong to the Assam-Bengal Railway?

(*b*) If so, will the Government be pleased to lay all the papers in connection therewith on the table?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) The Government of India have proposed that the management of the port of Chittagong be transferred to the Assam-Bengal Railway; and the Government of Bengal, after consulting the local authorities, have agreed, as it appeared, after detailed examination of various alternatives and of the finances of the port, that there was no other possible alternative for financing the improvements recommended on the report of Sir George Buchanan.

(*b*) It is not possible to lay on the table the correspondence with the Imperial Government without the permission of that Government. The Government of India are being addressed in the matter."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

15.

(*a*) With reference to unstarred question No.1 of the 3rd April, 1919, will the Government be pleased to publish the report of the Committee on the future organization of Hindu girls' education? Hindu girl education

(*b*) When was the said report submitted by the said Committee, and what action has since been taken thereon?

Answer by the Hon'ble Mr. Goode:—

"(*a*) A copy of the report of the Hindu Female Education Committee is laid on the library table

(*b*) The report of the Committee was submitted to Government on the 31st March, 1916. The terms of reference to the Committee were -

(*i*) to consider and report on the existing facilities for the education of Hindu girls and the extent to which the various sections of Hindu society avail themselves of the several agencies which are now employed;

(*ii*) to consider and report in detail on the extent to which the existing facilities are adequate and satisfactory,

(*iii*) to make detailed suggestions, with approximate estimates of cost, for remedying any defects which the Committee finds to exist.

With regard to the first and second some of the facts and figures in the Committee's report were found on examination to be incorrect and Government was consequently unable to accept altogether the findings of the Committee.

In respect of the third, the suggestions of the Committee centred round three main proposals, viz. :—

(*a*) revision of the curricula on lines formulated by it with a view to their adoption in girls' schools,

(*b*) Establishment of a thoroughly equipped model secondary school under Government management (not following the ordinary high school course) at Calcutta,

(*c*) constitution of a thoroughly representative standing Committee with full executive functions and exercising absolute control over Hindu female education with a staff of Hindu and Brahmo Inspectresses

Government are unable to accept the first and the last of these proposals, but as regards the second, the Director of Public Instruction was called on to submit a scheme which, however, could not be considered on account of the financial stringency consequent on the war. A scheme has, however, been recently submitted and is now under the consideration of Government."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

16.

(*a*) Are the Government aware of the hardships of the steamer and railway passengers at Goalundo for want of waiting rooms at the station or any similar accommodation in flats on the river? Waiting accommodation at Goalundo Ghât

(*b*) If so, are the Government considering the desirability of taking steps for the removal of this grievance?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) and (*b*) The Hon'ble Member is referred to the answer given in the Council on the 3rd September, 1918, to starred question No. 7 asked by the Hon'ble Babu Kishori Mohan Chaudhuri."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

17.

Development of Industries.

With reference to the provision of Rs. 2,50,000 in the Budget for 1919-20 for the development of industries, will the Government be pleased to state what particular industries have been receiving the attention of the Government and what scheme (if any) has been made in this connection?

Answer by the Hon'ble Mr. Payne:—

"Of the Rs 2,50,000, Rs. 2,00,000 have been provided for the organisation of the Industries Department according to the recommendations of the Indian Industrial Commission, if the sanction of the Secretary of State is received this year.

From the remaining Rs. 50,000 will be met the cost of—

(1) Additional equipment of the Research tannery.

(2) An investigation now being made into the tan-stuffs of Bengal

(3) Experiments in weaving."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

18.

"Home School" for Girls.

(*a*) Will the Government be pleased to state how the scheme of "Home Schools" for girls has worked in Eastern Bengal?

(*b*) Are the Government considering the desirability of their early extension to other parts of the province?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The scheme is reported to have worked satisfactorily in Eastern Bengal on the whole.

(*b*) The extension of the scheme to other parts of the province is not at present under contemplation. The Education Department consider that it is more necessary to extend the Panchayati Union Schools Scheme, which seeks to provide each Union with a model girls' school."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

19.

Drainage Commissioners and Amta Drainage Scheme.

(*a*) Will the Government be pleased to state whether the qualifications for the appointment of Drainage Commissioners under the Bengal Drainage Act, 1880, and those under the Bengal Sanitary Drainage Act, 1895, are the same?

(*b*) Will the Government be pleased to state what progress has been made in the Amta drainage scheme?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Hon'ble Member is referred to section 4 of Bengal Act VI of 1880 and sections 3 (*1*) (*c*) and 5 of Bengal Act VIII of 1895.

(*b*) The detailed plans and estimates for works in connection with the Amta drainage project are now under preparation. It is not expected that actual work will commence before October next."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri: –

20.

(*a*) Is it a fact that in the first week of June last, influenza broke out in a virulent form in the Dacca Central Jail and that a number of prisoners died? Influenza in Dacca Central Jail.

(*b*) Have the Government made an inquiry into the circumstances of this sudden outbreak of the disease in the said jail?

Answer by the Hon'ble Mr. Kerr:—

"Influenza broke out in an epidemic form in the Dacca Central Jail on the 19th May. Up to the 30th June, there were 244 cases among the prisoners, of which 18 proved fatal An assistant jailor also died. An inquiry has been held by the medical officer into the causes of the outbreak. The available evidence suggests that the infection was introduced into the jail by the head tailor, a paid employé, whose family were suffering from the disease The first cases occurred among the prisoners employed on tailoring work and not among persons newly admitted to the jail. After the outbreak of the epidemic, jail manufactures were stopped, the prisoners were segregated as far as possible, and all precautions were taken to prevent the disease from spreading. The epidemic is now subsiding, and no fresh cases have occurred since the 25th June."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:

21.

(*a*) With reference to the reply given to starred question No 21 asked at the meeting of the Council held on the 4th September, 1917, will the Government be pleased to state from what source the information wanted was gathered? *Zamindars of* Amta Drainage Basin.

(*b*) Is it a fact that Babu Kashiswar Mukherjee of Uttarpara referred to in the said statement sold his *zamindary* right of the land in respect of the Amta drainage scheme, bearing *tauzi*, No. 38, under the Collector of Hooghly, by a registered deed on the 7th August, 1914, to the late Rai Setab Chand Nahar Bahadur?

(*c*) Is it a fact that the late Rai Setab Chand Nahar Bahadur paid land-revenue and cesses to the Collector of Hooghly in his own name after the purchase by him of the said estate from Babu Kashiswar Mukherjee and that since the death of Rai Setab Chand Nahar Bahadur, land-revenue and cesses on account of the above estate have been paid by his son, Babu Fateh Lal Singh Nahar Bahadur, to the Collector of Hooghly?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The information was procured from the Collector of Hooghly.

(*b*) and (*c*) Rai Setab Chand Nahar Bahadur's name was registered in *tauzi* No. 38, under the Collector of Hooghly, in place of Babu Kashiswar Mukherjee of Uttarpara in 1914-15 after purchase of the estate and Babu Fateh Singh Nahar, son of Rai Setab Chand Nahar Bahadur, had his name recorded in place of his father by virtue of a deed of gift in 1918-19. Rai Setab Chand Nahar Bahadur paid revenue and cess in his name in respect of his share of *tauzi*, No. 38 up to September *kist*, 1918, since when his son, Babu Fateh Singh Nahar, has been paying revenue and cess."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

22.

Indian Police Officers and Keeping of Revolvers.

(*a*) Is it a fact that Indian police-officers up to the rank of Deputy Superintendent are not allowed to keep revolvers in their possession without a license?

(*b*) If so, is it in accordance with the law on the matter or on account of any executive order of the Government?

(*c*) If such prohibition is due to any executive order, was the order made by the Provincial or the Imperial Government?

(*d*) Will the Government be pleased to lay on the table a copy of any such circular or regulation as may be in existence relating to this matter?

(*e*) Are the Government considering the desirability of exempting Indian police-officers from the necessity of taking out licenses for keeping revolvers in their possession?

Answer by the Hon'ble Mr. Kerr:—

"(*a*), (*b*), (*c*) and (*d*) No specific orders have been passed requiring Indian police-officers to take out licenses for revolvers kept for their personal use. Their obligation to do so arises from the fact that no orders have been issued exempting them from the provisions of the Arms Act in respect of revolvers. Revolvers are supplied by Government to officers who require such weapons for the performance of their duties, and in those cases no license is necessary.

(*e*) No. The Government of India in their Resolution No. 2125 C., dated the 21st March, 1919, have intimated their intention of revising the Indian Arms Rules in a manner which will make it obligatory, after the 1st January, 1920, for all police officers, whether Indian or European, to take out licenses for firearms of any description, other than those supplied by Government."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

23.

High Prices and Relief Measures.

(*a*) Will the Government be pleased to state whether any recent survey has been taken of the condition of the population at different centres as a result of the distress caused by the unprecedented high prices of food-stuffs?

(*b*) If so, what relief measures (if any) have been taken beyond what has been done at Bankura and Brahmanbaria?

(*c*) Has the attention of the Government been drawn to the action of the Bihar and Orissa Government in granting from October 1st, 1918, an increased rate of grain compensation allowance to all Government servants drawing not more than Rs. 16 a month?

(*d*) Have the Government in contemplation any scheme of an increased rate of grain compensation allowance for all Government employés?

(*e*) What is the position as regards the proposal made to the Government of India for the grant of a war bonus?

(*f*) Will the Government be pleased to lay on the table a statement showing, district by district, the amount of agricultural loans and gratuitous relief sanctioned and distributed since January last?

(*g*) How far have the existing relief operations benefited the poorer middle classes

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Government have not made any special survey of the nature suggested; for the condition of the population in the province is practically always under survey. It is reviewed in certain fortnightly reports which are furnished to Government, in special local reports which Government have received and in the weekly and monthly weather and crop reports which are published in the *Calcutta Gazette*. A periodical review is also made of the food-stuffs position and prices obtaining in the different districts

(*b*) Agricultural loans have been given, where necessary, to relieve the agriculturists who require such advances.

(*c*) Yes

(*d*) All Government employés are not eligible for grain compensation allowance. Government are at present considering whether any extension of the present scheme of grain compensation allowance is necessary or advisable.

(*e*) A war allowance has recently been sanctioned to all employés of Government drawing more than Rs 12 and not more than Rs 50 per month. As has been previously explained in Council, the pay of menials has been already improved.

(*f*) A statement is laid on the table so far as information is available

(*g*) Relief is being afforded to some of the better class poor in the Bankura district and the Brahmanbaria sub division of the Tippera district"

Statement referred to in the answer by the Hon'ble Mr. McAlpin *to question No. 23 (Unstarred) asked by the* Hon'ble Babu Brojendra Kishor Ray Chaudhuri *at the Council Meeting of the 3rd July, 1919, showing the allotments, district by district, on account of loans and gratuitous relief during the financial year 1919-20.*

Loans

Districts	Amounts
	Rs.
Bankura	1,41,000
Tippera	1,00,000
Rajshahi and Bogra	1,00,000
Bakarganj	60,000
Chittagong Hill Tracts	50,000
Pabna	10,000
Mymensingh	5,000
Burdwan	1,000
Murshidabad	3,000
Total ..	8,03,000

Gratuitous relief.

Tippera	50,000
Bankura	81,160*

* Amount actually allotted to the end of July, 1919 The amounts are allotted monthly as required

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

24.

Is it a fact—

Arbitrary assessment upon the members of certain rural societies.

(*a*) that the Sub-divisional Officer of Madaripur was appointed liquidator of certain societies and that he deputed his *peshkar* to make assessment upon the members of Sirkhara, Birangal and Sajandawal Rural Societies; and

(*b*) that the assessment was made arbitrarily and that the liquidator refused to entertain complaints against the assessment?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) The Sub-divisional Officer of Madaripur was appointed liquidator of the Co-operative Societies of Sirkhara, Birangal and Sajandawal. In order to assess the amount to be paid by each member as contribution to the assets of the society according to his ability to pay, it was necessary to have confidential inquiries made about the property of the members. These inquiries were first conducted confidentially by the liquidation clerk, who is also the Sub-divisional Officer's *peshkar*, and were then tested on the spot personally either by the Sub-divisional Officer, or a Sub-Deputy Collector, or an Inspector of Co-operative Societies.

(*b*) From the above it will appear that the assessment was not made arbitrarily It is not a fact that the liquidator refused to entertain complaints against the assessment. In one case he revised his original order of assessment when he found that an improvement could be made In the case of Sajandawal there was an appeal to the District Judge which was dismissed.

It may be noted for the information of the Council that the complaint made by the objectors was against their assessment at more than their individual debts to the society. But, as the societies were concerns with unlimited liability, this was irrelevant."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

25.

Small-pox at Dacca.

Will the Government be pleased to make a statement regarding the recent outbreak of small-pox at Dacca, showing—

(*a*) the number of seizures and deaths therefrom; and

(*b*) the special measures taken to prevent the spread of infection and to combat the disease?

Answer by the Hon'ble Mr. Goode:—

" (*a*) As all cases are not reported and many concealed, the number of seizures cannot be accurately stated, but up to the end of the second week of June 443 deaths from small-pox were reported.

(*b*) A copy of the report of Dr. Sufi, Deputy Sanitary Commissioner on the outbreak at Dacca, is laid on the table."

Report of Dr. Sufi referred to in the answer by the Hon'ble Mr. Goode *to question No. 25 (Unstarred) asked by the* Hon'ble Maulvi A. K. Fazl-ul-Haq *at the Council meeting of the 3rd July, 1919.*

The following is a brief history of the small-pox epidemic in the Dacca town :—

The first case was reported on the 30th December, 1918, from the mehtars' depôt at Meranjulla. Attempts either to vaccinate the contacts or to segregate the patients failed entirely. The next case with fatal results occurred at Bangshall and was registered on the 1st January, 1919. Six contacts were operated upon but only a few of the neighbours, about 23 in number, could be vaccinated. Some cases were reported on the 12th January, 1919, from the railway staff quarters ; 17 contacts were vaccinated and 158 operations were performed amongst the staff. A few cases occurred shortly after in the neighbouring quarters and 12 vaccinations were performed in the Agasadak Bazar. Altogether 4 deaths were recorded during this month, while 530 primary and 570 revaccinations were performed by the 4 permanent vaccinators. A warning notice was circulated by the Health Officer at this stage, explaining to the public the necessity of taking vaccination.

By the second week of February the disease had become epidemic and scattered throughout the town. One additional vaccinator was appointed on the 20th February. Free vaccination by house-to-house visitation was notified on the same date. Two thousand six hundred and eighty-four operations (787 primary and 1,897 revaccinations) were performed in this month and 53 deaths were recorded.

On the 18th March, 1919, the Health Officer issued a circular letter to the schools requesting the authorities "not to allow any student to attend school in whose residence a patient has been suffering from small-pox until the house is declared by the Health Department to be free from infection". On the same date the Health Officer issued another circular letter recommending revaccination of students and closure of schools and colleges as early as possible if there be no serious objection. The vaccination staff was also strengthened by the addition of 1 male and 1 female vaccinators, thus bringing up the total strength to 10 operators. A systematic survey which was made on the 14th March under the direct supervision of the Health Officer proved the existence of 325 cases on that date, but after making allowances for the concealed cases, the number may be fairly assumed to be about 400 or at the highest 500.

Disinfection of the houses and of the patients' bedding and clothing was also performed, while the main streets and the lanes of the infected areas were watered twice a day. Hackney-carriages used by patients were also directed to be disinfected. For information, the Health Officer depended upon the vaccinators, the municipal out-door officers and medical practitioners who were supplied with printed post-cards for this purpose. Patients were treated at the Mitford Hospital where arrangements were very satisfactory.

Such was the state of affairs when I arrived at Dacca on the 23rd March, 1919. I very soon discovered that there was a panic in the town, that the staff of vaccinators was quite inadequate to cope with the emergent conditions, that even Government officials had to wait for even 3 or 4 days before they could secure the services of a vaccinator, and finally that the Health Officer had no organized means at his disposal of getting information as to the number of fresh attacks. Somehow or other those in charge had failed to grasp the situation at the very commencement and now the disease having spread to every quarter of the town it was impossible to restrict the area of its invasion.

At my suggestion the Commissioners at their meeting held on the 25th March, 1919, sanctioned the raising of the strength of the staff to 25 male and 3 female vaccinators, placing 15 vaccinators to work under the 15 Municipal Commissioners and the remaining 10 male and 3 female vaccinators under the direct orders of the Health Officer. Trained hands being unavailable probationers were engaged and trained. The number of the men on disinfection duty was also increased; they were divided into three batches, and each batch was placed under a Sanitary Inspector. Better arrangements were made at the instance of the Health Officer for flushing pucca drains and clearing kutcha drains and for watering more roads than previously. The Chairman also promised me to award As. 4 to every informer of a small-pox case after verification, but I am afraid it was not found possible for some reason or other to translate the promise into action as shown by the fact that the column for fresh attacks in the weekly small-pox statement was always left blank.

Judging from the weekly reports received it appears that the epidemic is gradually getting down and that the number of weekly operations performed is satisfactory, considering the atmospheric conditions.

M. E. SUFI.

CALCUTTA,
The 27th May, 1919.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

26.

Influenza in Dacca Jail.

(*a*) Is it a fact that influenza has recently broken out in an epidemic form in the Dacca Jail?

(*b*) If so, are the Government in a position to state the causes thereof?

Answer by the Hon'ble Mr. Kerr:—

"The Hon'ble Member is referred to the answer to the question put on this subject by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

27.

Block in promotion in the Bengal Secretariat.

(*a*) Is it a fact that there is a considerable block in promotion both in the upper and lower grade of clerkships in the Bengal Secretariat, especially in the lower grade?

(*b*) If so, will the Government please state what steps are being taken to remove the block?

(*c*) Will the Government be pleased to state how many extensions in the two grades have been given during 1912-19 (March)?

(*d*) Is it a fact that there is proportionately a larger number of clerks in the lower grade in the Financial and Public Works Departments than in other departments?

(*e*) If so, will the Government be pleased to state the reason for this?

Answer by the Hon'ble Mr. Payne:—

"(*a*) There is no block in the upper grade. There is alleged to be a block in the lower grade.

(*b*) Government are examining the question and are considering the possibility of replacing the present graded scale by a time scale.

(*c*) Six extensions in the lower grade and fifteen in the upper grade have been given during the period.

(*d*) Yes

(*e*) The relative strengths in the upper and lower grades in a department are decided on the amount of work in it suitable for the employment of upper and lower grade assistants respectively."

By the Hon'ble Babu Akhil Chandra Datta:—

28.

(*a*) Are the Government aware that the Government of Bombay have decided that war allowances should be granted to school teachers in Government employ with effect from the 1st February, 1918? Grant of war allowances to Government school teachers

(*b*) Are the Government considering the desirability of granting similar war allowances to school teachers in Government employ in Bengal?

Answer by the Hon'ble Mr. Payne:—

"(*a*) Government are aware of this fact.

(*b*) A copy of Finance Department memorandum No. 6242 F., dated the 12th June 1919, sanctioning war allowances to officers of Government drawing a salary of over Rs. 12 but not more than Rs. 50 is laid on the table."

Copy of Finance Department memorandum referred to in the answer by the Hon'ble Mr. Payne *to question No. 28 (Unstarred) asked by the* Hon'ble Babu Akhil Chandra Datta *at the Council meeting of 3rd July, 1919.*

No. 6242-F., dated Calcutta, the 12th June, 1919.

Memo by—The Hon'ble Mr. C. F. Payne, I.C.S., Secretary to the Government of Bengal, Finance Department.

With a view to affording some measure of relief to all Government servants (including police officers) drawing over Rs. 12 and not more than Rs. 50 a month the Government of India have been pleased to sanction the proposals of this Government for the payment of a special monthly war allowance at the following rates :—

						Rs.	A.
Officers drawing over	Rs. 12	and not more than	Rs. 20	a month	...	1	0
Ditto	Rs. 20	ditto	Rs. 30	ditto	...	1	8
Ditto	Rs. 30	ditto	Rs. 40	ditto	...	2	0
Ditto	Rs. 40	ditto	Rs. 50	ditto	...	2	8

2. These orders will take effect from the 1st April, 1919, and will be in force until six months after the *official* termination of the war.

By the Hon'ble Babu Akhil Chandra Datta:—

29.

Accommodation in certain steamers for inter-class female passengers.

(*a*) Are the Government aware that the inter-class female compartments in the steamers of the India General Navigation and Railway Company and Rivers Steam Navigation Company plying between Goalundo, Chandpore and Narayanganj are very unsuitable?

(*b*) Are the Government also aware that in these steamers—

(*i*) there is no cabin provided, but that a portion of the space which was originally used as a hospital is partitioned from the rest of the deck only by a *purdah*;

(*ii*) a portion of the compartment is used as a hospital and also as an office for the transhipment staff;

(*iii*) the female compartment and the said office are not partitioned off properly and the female passengers are exposed to the view of the staff;

(*iv*) there is no bath-room attached to the compartment, and the female passengers have to walk through crowds of third-class male passengers along the deck to the lower deck where they have to use the bath-room provided for the third-class male passengers;

(*v*) the accommodation of this bath-room is inadequate in consideration of the usual number of passengers;

(*vi*) there is no wire-netting by the side of the compartments, there being only a canvas protection, the bottom of which is in places usually worn out, rendering the compartment unsafe for children; and

(*vii*) no seats of any description are provided in these compartments?

(*c*) Is it a fact that the inter-class fare in these steamers is double that of the third class?

(*d*) Are the Government considering the desirability of taking such steps as they think fit for the removal of the grievances referred to in the fore-going questions?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) Government are aware that complaints have been made regarding the accommodation provided for inter-class female passengers.

(*b*) (*i*) and (*ii*) No cabin is provided for inter-class female passengers. The space set aside for the purpose has not been proved to be unsuitable.

(*iii*) The compartment is partitioned off from the office portion by a wooden or canvas partition to a height of about 5 feet and wire-netting from above this to the roof. A *purdah* is also supplied to cover the wire-netting so that there may be absolute privacy on either side.

(*b*) (*iv*) and (*v*) The Steamer Companies do not consider it desirable or feasible to arrange latrine accommodation for inter-class females in the space allotted to them on the upper deck. Steps are being taken to improve the latrine accommodation existing on the main deck.

(*vi*) On some of the vessels wire-netting is provided; on canvas-fitted steamers steps are being taken to fit wire-netting so as to ensure safety.

(*vii*) No seats are provided; experience shows that the passengers ordinarily prefer to sit or lie on their own mats or rugs.

(*c*) Yes.

(*d*) The attention of the Steamer Companies will be invited to the complaints which have been made."

By the Hon'ble Babu Akhil Chandra Datta:—

30.

(*a*) Are the Government aware that in the steamers of the India General Navigation and Railway Company and the Rivers Steam Navigation Company plying between Goalundo, Chandpore and Narayanganj—

Accommodation in certain steamers for third-class female passengers at second-class passengers.

(*i*) the accommodation for third-class female passengers has been provided in a place very near the funnel and that this space remains hot all the time the steamers run, and even the deck is uncomfortably hot;

(*ii*) there is no provision for seats of any description; and

(*iii*) there is no bath-room attached to the third-class female compartments?

(*b*) Are the Government also aware that—

(*i*) the accommodation for second-class passengers in the above mentioned steamers is inadequate and poor;

(*ii*) there is no provision for proper ventilation in the cabins;

(*iii*) there is no other furniture in the compartment except a bedstead;

(*iv*) there is no deck for the second-class passengers, and they are not allowed to use the deck provided for the first-class passengers; and

(*v*) the second-class fare is considerably more than half of the first class and more than double that of the inter-class?

(*c*) Are the Government aware of the feeling that exists that the difference of fare between the first and the second class is out of all proportion to the comforts provided for the two classes?

(*d*) Are the Government aware that the sweetmeat stalls in the said steamers are let out to the highest bidder, who again sublets them to others at exorbitant rents, and that the latter sell bad sweetmeats at a high price?

(*e*) Are the Government also aware that the sub-contractor is compelled to purchase articles from such shops as are selected by the contractors and that this results in the sale of bad articles at higher prices than the usual market price?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) (*i*) Separate accommodation for third-class female passengers has been recently provided in some 40 vessels. The position of the accommodation has not been found unsuitable, but all enclosed spaces are warmer than the open deck

(*ii*) Seating accommodation is not provided for third-class passengers

(*iii*) It is not possible to arrange latrine accommodation for third-class female passengers in the space allotted to them on the upper deck.

(*b*) (*i*) to (*iv*) The second-class accommodation is somewhat inadequate, and in view of the increasing number of passengers travelling by these vessels in that class, the question has been duly considered in the designs for the proposed new steamers for the Padma service. Inquiries are being made as to what improvements, if any, can possibly be carried out in respect of the provision of additional furniture and ventilation in the cabins of the existing vessels.

(*b*) (*v*) The second-class fare is double the inter-class fare.

(*c*) Government have no information on the subject.

(*d*) and (*e*) The Steamer Companies' Messing Department have recently taken into their own hands the management of the sweetmeat stalls on some of the steamers of the Barisal service; should this prove to be the success which is anticipated, the arrangement will be extended to the Padma services, with results which, it is hoped, will prove satisfactory to the travelling public."

By the Hon'ble Babu Akhil Chandra Datta:—

31.

Action of military in recent Calcutta disturbances.

(*a*) Will the Government be pleased to state whether any inquiry was initiated by the Government to ascertain if the military transgressed the law and exceeded the limits of their power during the recent disturbances in Calcutta?

(*b*) If so, will the Government be pleased to state the nature and the mode of inquiry and to lay the report on the table?

(*c*) Are the Government aware that there is an impression that the soldiers used greater force than was warranted by the situation and by the law?

(*d*) Have the Government ascertained whether there is any foundation for such an impression?

(*e*) Are the Government considering the desirability of appointing a mixed committee of officials and non-officials to inquire whether the action of the military was justifiable during those disturbances?

Answer by the Hon'ble Mr. Kerr:—

"Government have received full reports on the disturbances and are satisfied that the police and the troops behaved with forbearance, and that there is no ground for the suggestion that they used greater force than was warranted by the situation or by the law. Government do not propose to lay any papers on the table or to institute further inquiries."

By the Hon'ble Babu Akhil Chandra Datta:—

32.

Report on the education of Hindu girls.

(*a*) Will the Government be pleased to lay on the table the report submitted on the 31st March, 1916, by the Committee which was appointed by the Government of Bengal, with Sir Ashutosh Mukherjee as President, for the purpose of advising the Government as to the future organisation for the education of Hindu girls?

(*b*) Have the Government issued any resolution upon the said report? If so, will they be pleased to lay the resolution on the table?

(*c*) What action (if any) has been taken by the Government to give effect to the recommendation of the said Committee?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*c*) The Hon'ble Member is referred to the reply given to unstarred question No. 15 asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri. Detailed proposals for a Calcutta *Purdah* School have been received from the Director of Public Instruction and are now under consideration.

(*b*) Government did not record any resolution on the report."

By the Hon'ble Babu Akhil Chandra Datta:—

33.

(*a*) Will the Government be pleased to lay on the table a statement showing— Manufacture of salt in Chittagong.

(*i*) the entire preventive staff which was required of Mr. P. C. Das of Cox's Bazar who applied for permission for the manufacture of salt; and

(*ii*) the special staff which has been employed by Mr. Glen George for the purpose of supervising the manufacture of salt in the district of Midnapore together with the date of their employment and their pay?

(*b*) Has Mr. Glen George executed any deed of agreement as to the conditions upon which sanction has been accorded to him to manufacture salt? If so, what is the date of the deed?

(*c*) Will the Government be pleased to lay on the table all papers and orders in connection with the prayers of Mr. Glen George, Mr. P. C. Das, Babu Surendra Chandra Ghosh, Babu Mohendra Chandra Ghoshal and others in the district of Chittagong for permission to manufacture salt?

(*d*) Will the Government be pleased to describe fully the conditions upon which permission has been given to Mr Glen George?

(*e*) Is he employed in any other capacity under the Government anywhere else?

Answer by the Hon'ble Mr. Payne:—

"(*a*) (*i*) Mr. P. C. Das prayed that the rules regarding the entertainment of extra preventive staff might in his case be dispensed with, as he considers that the staff ordinarily employed in the Cox's Bazar sub-division was sufficient during the initial stage of his scheme. Government were unable to accept this view, but the question of what preventive staff was necessary in connection with his scheme did not therefore arise.

(*ii*) It has been decided by Government to employ the following establishment in this connection and to realise from the firm such portion of the cost thereof as exceeds 5 *per cent.* of the duty levied:—

	Rs.
1 inspector on	100 *per mensem.*
2 sub-inspectors on	50 each *per mensem.*
1 petty officer on	12 *per mensem.*
1 peon on	12 „ „
3 peons on	11 each *per mensem.*
6 peons on	10 „ „

This staff will be employed as soon as the manufacture of salt commences.

(*b*) No deed of agreement was executed, but a license, dated the 2nd October, 1918, has been granted to Mr. Glen George containing the conditions under which he, or his assignee, may manufacture salt.

(*c*) The Hon'ble Member is referred to the answer given to question No. XXXVI (*d*) on the 19th February, 1918. Copies of the original applications of Mr. P. C. Das and Mr. Glen George are laid upon the table. Copies of Government order No. 2945-S.R., dated 22nd December, 1917, dealing with the applications from Chittagong, of Government order No. 1136, dated 19th April, 1918, dealing with the application of Mr. Das, and of Government order No. 137-T.—S.R., dated 2nd October, 1918, dealing with the application of Mr. Glen George, are laid upon the table. Government are not prepared to lay other papers upon the table.

(*d*) A copy of the license granted to Mr. Glen George is laid upon the table.

(*e*) He is not employed under Government in any capacity."

Copy of original application of Mr. P. C. Das for the manufacture of salt at Cox's Bazar.

Dated, Cox's Bazar, the 2nd February 1918.

From—P. C. DAS, ESQ., Retired Sub-Deputy Collector, Cox's Bazar,

To—The Collector of Chittagong.

(Through the Inspector of Excise and Salt, Cox's Bazar.)

I HAVE the honour to solicit your favour of granting me a permit to manufacture salt locally for sale to the people of Cox's Bazar subdivision for local consumption on payment of the usual duty.

2. I am ready to open a godown where the manufactured salt will be stored and duty levied according to the rules.

3. As the attempt is quite a new and experimental one, the rules about the entertainment of extra preventive staff may be dispensed with till such time as the project does not appear sufficiently useful and matured. The present staff of the preventive officers may be considered sufficient for the purpose at present.

4. If you are pleased to grant me the permit on the above condition, I may be informed of the order, so that I may be able to start with the preliminaries at once.

Copy of original application of Mr. Glen George for the manufacture of salt in Bengal.

PROPOSAL FOR THE MANUFACTURE OF SALT IN THE CONTAI SUBDIVISION OF THE MIDNAPORE DISTRICT.

Dated Calcutta, the 22nd April 1918.

From—GLEN GEORGE, ESQ., Chief Mining Engineer to Messrs Andrew Yule & Co.,

To—The Secretary to the Government of Bengal, Financial Dept.

I BEG to address you on the subject of the manufacture of salt in Bengal. You are, of course, aware of the relative difficulty in obtaining supplies of imported salt compared with those available in pre-war times, and also of the causes which have led to the strong preference of the population of Bengal for the white imported salt as against the brown Madras salt. In view of the existing shortage of freight which is certain to continue for five or more years after the declaration of peace, there will evidently be a great market for a salt which, manufactured in India, will be equal in quality to the white imported salt.

The ordinary methods of manufacture obtaining in Madras are not likely to be successful at the head of the Bay of Bengal owing to the humidity and the length of the monsoon season. I propose, therefore, a method of which the final step will be evaporation in multiple effect evaporators. As this is the final stage in the manufacture of Liverpool salt, whatever may be the financial results, a salt equal in quality to Liverpool salt will certainly be produced.

The earlier stages in the proposed method are of a technical nature, but their effect is to overcome the difficulty in regard to the humidity and the shortness of the season.

I have recently personally investigated the salinity of the sea at a site near Contai and found the salinity sufficient: in fact, it is that of ordinary sea-water at this season. During the five monsoon months the salinity may be low, but storage of concentrated brine will enable the factory to work continuously.

You will doubtless recollect an application made by me to the Madras Government for a site and salt license in the Ganjam district. The methods proposed there are merely improved Madras methods requiring no coal. The syndicate I represent is strongly of opinion that in addition there is room for a factory near Calcutta on new lines which can make salt identical to Liverpool salt.

The syndicate which I represent is prepared to put up a salt factory at Contai on my proposed lines and to find the capital necessary, which will be five to six lakhs.

We ask for no financial assistance or special terms, but merely a lease of the site, which I have ascertained to be on Government khas land, and the sympathy of your Government with the proposal. I beg, therefore, to enquire whether the Government of Bengal will be prepared to grant me a license to manufacture salt from sea-water on a site, particulars of which will be sent in to the Board of Revenue near Contai.

Copy of Government Order dealing with applications from Chittagong for the manufacture of salt.

No. 2945-S.R., dated Calcutta, the 22nd December, 1917.

From—The Hon'ble Mr. J. Donald, M.A., C.I.E., I.C.S., Secretary to the Government of Bengal, Financial Department,

To—The Commissioner of the Chittagong Division.

I am directed to acknowledge the receipt of your letters noted in the margin, forwarding applications from certain salt merchants in Chittagong for permission to manufacture salt locally. In view of the high prices of salt prevailing in Chittagong, at present you recommend that the proposal for the local manufacture of salt may be sanctioned at an early date.

(1) No. 3041-R—XV—19-39, dated the 3rd December 1917.
(2) No. , dated the 8th December 1917.

2. In reply, I am to enclose a copy of a note recorded by the Commissioner of Excise and Salt, stating the result of inquiries made by him during his recent visit to Chittagong, and to say that before taking steps towards the removal of the prohibition on salt manufacture in Chittagong which now subsists, the Governor in Council desires to have detailed proposals giving information on the points raised in the note together with a draft of the rules necessary to regulate manufacture. The Collector of Chittagong should correspond direct in this matter with the Commissioner of Excise and Salt, who will submit proposals for the orders of Government. But the matter should be dealt with promptly, and an early decision arrived at, whether anything is practicable or not in the direction of local manufacture.

3. With regard to the last paragraph of the Excise Commissioner's note, I am to invite your attention to the recent Press *Communiqué* (copies enclosed) issued by Government on the subject of the supplies of salt, and to request that the information given therein may be communicated to the dealers in Chittagong with a view to arrangements being made for the import of salt from Madras by brigs.

Copy of Government Order dealing with Mr. P. C. Das's application for the manufacture of salt.

Dated Calcutta, the 19th April 1918.

From—The Hon'ble Mr. J. Donald, M.A., C.I.E., I.C.S., Secretary to the Government of Bengal, Financial Dept.,

To—The Commissioner of Excise and Salt, Bengal.

I am directed to acknowledge the receipt of your letter No. 243-E., dated 10th April 1918, with which you submit copies of two petitions from

Mr. P. C. Das, retired Sub-Deputy Collector, Cox's Bazar, asking for permission to manufacture salt, experimentally from salt earth and sand and saline ashes for a period of six months on payment of duty, and in reply to say that, in the circumstances stated in your letter Government are unable to grant the permission asked for by the petitioner. I am to request that the petitioner may be informed that Government are unable to agree to proposals which do not provide for adequate supervision over the processes of manufacture and that this can only be effected by the employment of special staff.

Copy of Government Order dealing with the application of Mr. Glen George for the manufacture of salt.

No. 137 T.—S. R., dated Darjeeling, the 2nd October 1918.

From—H. P. V. TOWNEND, ESQ., I.C.S., Under-Secretary to the Government of Bengal, Financial Department,

To—GLEN GEORGE, ESQ., Chief Mining Engineer to Messrs. Andrew Yule & Co.

WITH reference to the correspondance ending with your letter, dated the 25th July 1918, I am directed to say that the Governor in Council is pleased to accept the scheme for the establishment of a factory for the manufacture of salt within the Contai subdivison of the district of Midnapore, and to authorize you to manufacture the said commodity in the factory subject to the terms and conditions specified in the license enclosed herewith. You are also authorized to assign the license, now granted to you, to the company to be formed and called the Chemical Industries. Limited, on condition that the assignees agree to the terms and conditions of the license.

2. With reference to condition (2) of the license, I am to explain that Government have no wish to hamper your enterprize by impossible conditions, but that they must retain the right to safeguard Government revenue accruing from salt manufactured in the factory if any of the conditions prove to be defective.

Copy of license granted to Mr. Glen George.

No. 138 T.—S. R., dated the 2nd October 1918.

Copy, with a copy of the license, forwarded to the Commissioner of Excise and Salt, Bengal, for information and necessary action.

License for the manufacture of salt.

Mr. Glen George of Disergarh in the district of Burdwan is hereby authorized by the Government of Bengal to manufacture salt within the Contai subdivision of the district of Midnapore on the following conditions :—

Conditions of license.

(1) The licensee, his agents and servants, shall be bound by the provisions of the Indian Salt Act, 1882 (XII of 1882), and by all rules relating to the manufacture of salt and for the issue of salt from licensed premises which may, from time to time, be prescribed under the said Act by the Government of India.

(2) This license shall remain in force for one year from the date on which it is granted :

Provided that during a period of nineteen years next thereafter the licensee, if he has duly observed the conditions of his license in force, shall have the option to have the license renewed for one year at the end of each successive year subject to such modifications of the conditions of his license in force as may be prescribed by the Government of Bengal at the time of each renewal after considering any suggestions or objections made with regard thereto by the licensee.

(3) The licensee shall make a deposit of Rs. 1,000 in advance as security for the due observance of the conditions of this license and shall execute a bond pledging the premises and all apparatus and utensils employed in the manufacture of salt, for the due discharge of all payments which may become due to Government. In lieu of executing such a bond, the licensee may deposit Government promissory notes of such value as the Commissioner of Excise and Salt, Bengal, may direct.

(4) The licensee shall, before commencing the manufacture of salt, submit, for the approval of the Commissioner of Excise and Salt, Bengal, a plan and description in writing signed by himself of all structures, buildings and rooms within the boiling and drying house compound, specifying the purpose for which each is to be used. No alteration of, or addition to, the boiling and drying house compound or any building or room intended for the manufacture, drying, storage, handling or weighment of salt therein shall be made without the written permission of the officer in charge, provided that the latter in important matters may require the permission of the Assistant Commissioner to be obtained through him.

(5) The boiling and drying house compound shall be surrounded by a wall to the satisfaction of the Commissioner of Excise and Salt, Bengal, with only one passage, and it shall be properly secured against the issue of salt, except by the passage so provided.

(6) The place intended for the storage of salt before weighment shall be within the boiling and drying house compound. It shall be securely fenced to the satisfaction of the Commissioner of Excise and Salt, and in the fence there shall be a single gate.

(7) The structures, buildings and rooms in the boiling and drying house compound and the surrounding wall shall be kept in good repair to the satisfaction of the Assistant Commissioner.

(8) The licensee shall construct and maintain at his own expense suitable quarters to the satisfaction of the Commissioner of Excise and Salt, Bengal, and shall let them out at such rents as the Public Works Department may consider reasonable for the accommodation of the officer in charge and other establishment required for supervision. He shall also provide a suitable office-room within the boiling and drying house compound for the officer in charge with such furniture as may be required for use therein.

(9) The licensee shall have, on the outside of the door of every building or room in the boiling and drying house compound, a name painted legibly in oilpaint indicating the purpose for which such building or room is intended to be used.

(10) The licensee shall give at least fifteen days' notice in writing to the Assistant Commissioner of the date on which he proposes to commence manufacturing salt and at least one month's notice before he ceases to manufacture any salt.

(11) In case the licensee shall cease manufacturing or issuing salt for a period exceeding one month, the Commissioner of Excise and Salt, Bengal, may withdraw the establishment stationed at the factory and many prohibit all further manufacture and issue of salt until the licensee has given him fifteen days' notice in writing of the date on which he proposes to recommence operations.

(12) The licensee shall pay into the Bank of Bengal in advance such sum as will be sufficient to pay the duty on any salt that may be manufactured at any time, and the licensee shall not manufacture any salt unless the duty payable in respect of it has been paid by him in advance.

(13) The manufacture of salt shall be carried on only in the place or building specified for the purpose by the terms of clause (4) of these conditions.

(14) The licensee shall not cause any salt to be formed in any place outside the boiling and drying house compound, and he shall destroy such salt if accidentally formed.

(15) The salt manufactured shall contain not less than 91 per cent. sodium chloride and not more than 3 per cent. of magnesium salt. Any salt which does not conform to these requirements shall be destroyed by the licensee.

(16) The licensee shall, at all times, allow samples of salt not exceeding one seer in weight each to be taken by the officer in charge for submission to the Chemical Examiner for Customs and Excise for analysis.

(17) All salt manufactured shall be removed from the boiling and drying house either direct to the place of weighment or to the place of storage and thence to the place of weighment in such manner as may be prescribed by the Commissioner of Excise and Salt, Bengal.

(18) All salt weighed on any day shall, after such weighment and check weighment (if any), be removed from the boiling and drying house compound on that day in such manner as may be prescribed by the Commissioner of Excise and Salt, Bengal.

(19) No salt shall be presented for weighment after 5 P.M., unless the licensee desires the weighment to go on after that hour and makes proper arrangements to the satisfaction of the Commissioner of Excise and Salt, Bengal, for lighting the boiling and drying house compound and the entrance thereto.

(20) The weighment of salt shall be carried on under the supervision of the officers of the Excise and Salt Department with the scales provided by Government for the purpose, in such manner, and at such times, as the Commissioner of Excise and Salt, Bengal, may from time to time direct.

(21) Save under a pass granted by a salt revenue officer of or above the rank of a Sub-Inspector of Excise and Salt, the licensee shall not remove any salt from the boiling and drying house compound, nor shall the officer in charge grant a pass for the removal of any salt which has not been duly weighed.

(22) The licensee shall provide, at his own expense, sufficient establishment (other than the establishment referred to in clause 28) for the weighment and issue of salt and all work connected therewith.

(23) No operation connected with the storage, weighment or issue of salt shall ordinarily take place on Sundays and on holidays prescribed by the Commissioner of Excise and Salt, Bengal.

(24) When the manufacture of salt is carried on at night and at all times when a Government officer is not present in the boiling and drying house compound, the gates shall remain locked, provided that on Sundays and on prescribed holidays the registered servants of the licensee may be allowed ingress and egress between sunrise and sunset.

(25) The licensee shall so arrange his operations on working days that no excise officer need be on duty for more than eight hours *per diem*.

(26) If an excise officer has to work more than eight hours on any ordinary working day or on Sundays or prescribed holidays, the licensee shall pay such overtime fees as may be prescribed by the Commissioner of Excise and Salt, Bengal.

(27) The licensee shall keep accurate accounts which shall be written up daily showing such particulars as may, from time to time, be prescribed by the Commissioner of Excise and Salt, Bengal, and shall produce the same for inspection whenever required by the officer in charge or any other officer of the Excise and Salt Department not below the rank of a Sub-Inspector.

(28) Subject to the directions of Government, the Excise Commissioner may employ at the factory and place of storage such establishment for the purpose of guarding the salt and realizing the revenue thereon as he considers necessary, and the licensee shall pay each month so much of the expenditure incurred by Government on the establishment so employed as may exceed 5 per cent. of the duty levied on the salt manufactured in the factory and issued therefrom for consumption during the preceding month.

(29) The licensee shall not have any pecuniary transaction of any kind whatever with any of the officers of the Excise and Salt Department.

(30) The licensee shall allow the officers of the Excise and Salt Department free access to all parts of the factory and shall afford all reasonable facilities for any investigation that they may desire to make.

(31) Except with the permission of the Commissioner of Excise and Salt, Bengal, the officer in charge or a superior officer of the Excise and Salt Department, no one except superior officers of other Government departments, the licensee, his agents or his employees authorized for the purpose shall be allowed to enter the boiling and drying house compound. A register shall be kept of the names of all persons employed by the licensee, and all authorized employees shall be supplied with passes for ingress and egress.

(32) The officer in charge of the factory may eject or exclude from the premises any person who, in his opinion, has committed, or is about to commit, any breach of these conditions or of the provisions of the Indian Salt Act, 1882, or any rules made thereunder, or who shall be intoxicated, riotous or disorderly.

(33) If it comes to the knowledge of the licensee that any person employed by him in the manufacture, storage or issue of salt has committed any breach of the provisions of the Indian Salt Act, 1882, or any rules made thereunder, or of the engagements entered into by him, he shall forthwith report the matter to the officer in charge and comply with the directions of that officer respecting the continued employment of such person.

(34) In case of any breach or attempted breach of the conditions of this license by the licensee or any person in his employment, the Commissioner of Excise and Salt, Bengal, may impose on the licensee a fine not exceeding the sum of Rs. 50 for every breach or attempted breach of such conditions or, at the option of the said Commissioner of Excise and Salt, Bengal, may declare the money, if any deposited by the licensee, forfeited and may cancel the license.

(35) It shall be lawful for the Commissioner of Excise and Salt, Bengal, to deduct the amount of fines imposed under the last preceding condition from the amount deposited by the licensee as security for the due performance of the conditions of this license, and for this purpose the Commissioner of Excise and Salt, Bengal, may sell all or any of the Government promissory notes or stock notes deposited or of the property hypothecated.

(36) The licensee shall, within fifteen days from the date of receipt of a notice from the Commissioner of Excise and Salt, Bengal, informing him of any deduction made from his security deposit for the due performance of his engagements, replace the amount so deducted from the said deposit.

(37) The imposition of a fine or forfeiture of deposit or the cancellation of the license under condition (34) shall not be held to preclude the prosecution of any person for any offence which he may have committed, or attempted to commit, against the provisions of the Indian Salt Act, 1882, or any other law for the time being in force relating to salt revenue.

(38) (*a*) All sums due by the licensee to Government may be recovered from the amount of deposit made by him or by sale of the factory premises, machinery and other things pledged under the bond mentioned in clause (3).

(*b*) On the expiry of the license either on account of expiry of the term or on account of cancellation or suspension, the Commissioner of Excise and Salt, Bengal, may take over, or permit the successor of the licensee to take over, the balance of salt in the boiling and drying house compound at cost price or may require the licensee forthwith to remove such salt on payment of full duty.

(*c*) If the licensee shall fail so to remove all salt within ten days of the receipt of written notice from the Commissioner of Excise and Salt, Bengal, the cost of any establishment which it may be necessary to employ at the factory may be recovered from the licensee, and if he shall fail to do so, within one month, the salt shall be liable to forfeiture at the discretion of the said Commissioner of Excise and Salt, Bengal.

(39) The licensee may, with the approval of the Government of Bengal, assign his license to any company or firm on condition that the assignee agrees to the terms and conditions of this license.

J. A. L. SWAN,
Offg. Secretary to the Government of Bengal.

By the Hon'ble Babu Akhil Chandra Datta:—

34.

(*a*) Will the Government be pleased to state whether it is a fact that Government have received representations from ministerial officers of several executive and judicial offices of the Province praying for increment of pay on the ground of the high prices of all the necessaries of life?

High p increm of mini officers executi judicial

(*b*) Is it a fact that the present scale of pay of ministerial officers was fixed in West Bengal districts in 1906 and in East Bengal districts in 1911, upon the recommendation of the different committees appointed to submit schemes, among other matters, for revision of the rates of pay of ministerial officers, and that the committees recommended the present scale of pay on the basis of the costs of living prevailing at about the time of the revision?

(*c*) Will the Government be pleased to state whether after the last revision, any increment of pay was granted to ministerial officers owing to the abnormal rise in the price of the necessaries of life? If so, what increment was granted and for what periods?

(*d*) Is it a fact that increments have been granted to officers in the Post and Telegraph Departments of the Government of India and some State Railways on the ground of high prices?

(*e*) Will the Government be pleased to state to what extent the cost of living has increased in 1919, as compared with the years 1906-1911, and what action the Government are taking to raise the pay of the ministerial officers to ease the situation?

Answer by the Hon'ble Mr. Payne:—

"(*a*) Yes.

(*b*) Yes, but the current cost of living on these dates was presumably only one of other factors considered.

(*c*) There has been no general revision; recently certain special concessions have been allowed.

(*d*) Government understand that this is so.

(*e*) It is not possible to calculate this except separately for different classes of people. Furthermore prices of essential commodities have not uniformly risen They have fluctuated. The following figures for retail prices are given by the Department of Statistics (the prices are in rupees) :—

		1906.	1911.	1918.	1919.
Bengal ...	Rice, per maund ...	4.739	3.719	4.175	6.154
	Arhar dal, per maund	5.144	3.781	6.082	9.897
	Salt, per maund ...	2.718	2.184	4.49	4.81
Calcutta ...	Ghi, per maund ..	43.625	48.0	92.083	98.96
	Vegetables, per maund	4.344	3.062	6.422	6.125
	Mustard oil, per maund	18.5	20.0	24.635	36.67
	Kerosene, per tin ...	2.25	2.375	4.5	4.187

Details of the concessions recently granted were given in a *communiqué* dated the 12th June, 1919 "

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

35.

Particulars as to budgetted anti-malarial works and sanitary schemes.

(*a*) Will the Government be pleased to state the amount of money spent up to date, and the full particulars of the nature of the work done, in connection with the anti-malarial works and sanitary schemes under the specified heads and sub-heads of expenditure, as separately sanctioned and referred to on pages 24 and 25 of the Budget of the Government of Bengal for 1918-19?

(*b*) Will the whole of the amount under the different heads and sub-heads referred to in clause (*a*) be spent this year?

Answer by the Hon'ble Mr. Goode:—

" (*a*) and (*b*) The Hon'ble Member presumably refers to the Amended Draft Financial Statement for 1918-19 and not the budget for 1918-19. A statement is laid on the library table, of which the last column shows the actual expenditure incurred in 1918-19 out of the amounts provided in the budget.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

36.

Particulars of certain estates to be benefited by the Amta drainage scheme.

Will the Government be pleased to lay on the table a statement showing—

(*i*) the names and full addresses of the holders of estates who will be benefited by the completion of the Amta drainage scheme in the district of Howrah;

(*ii*) the *tauzi* number of each of the estates;

(*iii*) the amount of land-revenue and cesses payable to Government by each estate; and

(*iv*) the total area of the tract affected in each of the estates?

Answer by the Hon'ble Mr. Goode:—

" (*i*), (*ii*), (*iii*) and (*iv*) A statement is laid on the library table. It has been compiled on the basis of the villages affected, but the area benefited does not necessarily coincide with the area included in the boundaries of *mauzas*. This can only be determined with precision when the survey is carried out under section 6 (*1*) of the Bengal Sanitary Drainage Act, 1895, and the revenue maps relaid."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

37.

Will the Government be pleased to lay on the table a statement showing— Particulars certain ten to be bene by the Am drainage scheme.

(*i*) the names and full addresses of the principal holders of tenures in the tract affected who will be benefited by the completion of the Amta drainage scheme;

(*ii*) the names and full addresses of the superior landords;

(*iii*) the total amount of annual rent and cesses payable to the superior landlords by each of the holders of tenures in the tract affected; and

(*iv*) the total area of the tract affected in each of the tenures referred to above?

Answer by the Hon'ble Mr. Goode:—

" (*i*), (*ii*) (*iii*) and (*iv*) A statement is laid on the library table It has been compiled on the basis of the villages affected, but the area benefited does not necessarily coincide with the area included in the boundaries of *mauzas*. This can only be determined with precision when the survey is carried out under section 6 (*1*) of the Bengal Sanitary Drainage Act, 1895, and the revenue maps relaid."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

38.

Will the Government be pleased to state whether, in the matter of making appointments of Drainage Commissioners under clause (*c*) of sub-section (*1*) of section 3 of the Bengal Sanitary Drainage Act, 1895 (Bengal Act VIII of 1895), for the tract affected in any local area notified by the Government, preference is given in such appointments to the claims of holders of estates over the claims of holders of tenures? Appointme of Drainag Commissio

Answer by the Hon'ble Mr. Goode:—

" The reply is in the negative "

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

39.

(*a*) Will the Government be pleased to state the names of the districts in Bengal where the sale of kerosine oil is controlled by the district officer? Control o ker sine o

(*b*) Will the Government be pleased to lay on the table a copy of the rules (if any) which are in force in the districts of Bengal for controlling the sale of kerosine oil by district officers?

Answer by the Hon'ble Mr. Payne:—

" The Hon'ble Member is referred to the answer given to starred question No *XVII on the Question Paper for to-day's meeting."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

40.

Zamindars of Amta drainage basin.

(*a*) With reference to the statement laid on the table in reply to starred question No. 21 on the 4th September, 1917, will the Government be pleased to state whether it is a fact that Babu Kashiswar Mukherjee of Uttarpara referred to in the said statement sold his *zamindary* right of the land bearing *tauzi* No. 38 under the Collector of Hooghly under a registered Deed bearing No 2693 for 1914 registered on the 7th August, 1914, in the Calcutta Registration office, for Rs. 1,99,000 to the late Rai Setab Chand Nahar Bahadur?

(*b*) Is it a fact that the late Rai Setab Chand Nahar Bahadur paid land revenue to the Collector of Hooghly in his own name after the purchase of the estate from Babu Kashiswar Mukherjee in 1914?

(*c*) Is it a fact that since the death of Rai Setab Chand Nahar Bahadur land revenue and cesses on account of the above estate have been paid to the Collector of Hooghly by his son, Babu Fateh Singh Nahar, of No. 44, Indian Mirror Street, Calcutta?

Answer by the Hon'ble Mr. Goode:—

"(*a*), (*b*) and (*c*) The Hon'ble Member is referred to the answer given to question No. 21 (unstarred) asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

41.

Amta drainage basin.

(*a*) Will the Government be pleased to state whether any apportionment of the cost to be incurred in connection with the Amta drainage basin in the district of Howrah is to be realised by the Government from the *patnidar* direct, or from the *zamindar*, as usual?

(*b*) Are the Government considering the advisability of appointing Babu Fatch Singh Nahar as one of the Drainage Commissioners in connection with the Amta drainage scheme in the district of Howrah, in accordance with the terms contained in order No. 710 L.S.-G., dated the 3rd March, published in the *Calcutta Gazette* of the 5th March, 1919?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Hon'ble Member is referred to section 22 of the Bengal Sanitary Drainage Act, 1895, which lays down how the cost is to be realised As *patnidars* ordinarily pay road-cess through the *zamindars* and not direct to Government, the drainage cess will be realised from *zamindars* unless there is a stipulation in the *patni* lease that they will pay cess direct to Government

(*b*) No."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

42.

Obstructed drainage in pargana Moyna in Tamluk.

(*a*) Has the attention of the Government been drawn to the condition of the obstructed drainage in pargana Moyna, subdivision Tamluk, in the district of Midnapore, owing to the silting up of the Cossye river?

(*b*) Are the Government in possession of any memorial submitted to His Excellency the Governor in Council by the people of the affected locality in the middle of June, 1919?

(*c*) If so, will the Government be pleased to state what steps (if any) they are taking in regard thereto?

Answer by the Hon'ble Mr. Cowley:—

" (*a*) An investigation of the congested drainage conditions of pargana Moyna, subdivision Tamluk, in the district of Midnapore, was carried out in the year 1910. The survey showed that the tract requiring drainage was an extremely low one and that any scheme drawn up under ordinary methods would not be entirely effective except at a prohibitive cost. Two remedial measures were, however, put forward by the Chief Engineer for acceptance by the people interested. These were :—

(*i*) To throw open two square miles of land at a time to tidal spill so that a deposit of silt on the low area would raise it in the course of time, and the flow back of clear water would scour out the drainage channels and make them effective for draining the remaining area.

(*ii*) In the alternative, a drainage cut with its outfall at the junction of the Kaliaghye and Cossye rivers.

The Commissioner, to whom the proposals were referred, reported that neither of the schemes found favour with the people interested.

(*b*) and (*c*) The memorial in question was not received till the 27th June, 1919; it is at present under consideration."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

43.

(*a*) Will the Government be pleased to state why the balances of the current demand of the Gobardanga Wards' Estate in the district of the 24-Parganas were on the increase in the years 1916-17 and 1917-18? Gobardanga Wards' E

(*b*) Is it a fact that the percentages of collection of the current and arrear demands of the said estate were not satisfactory during the last three years up to 1324 (B. S.)?

(*c*) Did the collection improve during 1918-19, *i.e.*, 1325 B.S.?

(*d*) Referring to the figures in column (7), Appendix III of the printed Report of the Ward's Estate for the years 1916-17 and 1917-18, will the Government be pleased to state what was the nature of the inquiry held and by whom, and whether the Deputy Collector in charge of the Wards' Estate or the Collector of the district satisfied himself as to the accuracy of the amounts in question which could not be realised by the responsible officers of the Gobardanga Wards' Estate?

(*e*) Will the Government be pleased to state what steps they are taking for the better administration of the above estate?

Answer by Hon'ble Mr. McAlpin:—

" (*a*) The increase in the balances of current demand of the Gobardanga Estate in 1916-17 and 1917-18 was due to exceptional economic conditions caused by the war. The balances have subsequently been reduced.

(*b*) No.

(*c*) Yes.

(*d*) No special inquiry was held. The Collector and Wards' Deputy Collector examine the monthly collection statements submitted by the Manager and satisfy themselves regarding the accuracy of the figures.

(*e*) Steps are being taken to partition the joint property."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

44.

Public Works Department Division for Damodar Basin

Will the Government be pleased to state—

(*a*) what steps, if any, have been taken to give effect to the creation of the special Public Works Department division for the Damodar basin;

(*b*) what final arrangements have been made to communicate flood-warnings to the people on receipt of telegrams from the gauge officers at Raniganj and Barakar; and

(*c*) what progress, if any, has been made in the excavation of the Uchi *Nala*?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) A redistribution of the area included within the existing Circular and Eastern Canals and Northern Drainage and Embankment Division is under consideration.

This redistribution is proposed to be effected—

(*i*) by the creation of a new division with headquarters at Khulna for which provision has been made in the current year's budget;

(*ii*) by alterations in the areas now comprised within the Circular and Eastern Canals Division and the Northern Drainage and Embankment Division so as to give effect to the Resolution moved by the Hon'ble Member in this Council at the meeting held on Tuesday, the 19th February, 1919, in the terms finally accepted by the Legislative Council. The sanction of the Government of India to the creation of the new division is required, and will be asked for at an early date. At the present time there is no officer available to fill the post of Executive Engineer of the proposed new division, but it is hoped that the new division will be created in November next.

(*b*) The Hon'ble Member is referred to the answer given in this Council to his starred question No. 10 at the meeting of the 19th August, 1918. No gauge officer is stationed at Barakar, nor is this necessary. The arrangements for the issue of flood-warnings are as given in detail below:—

The gauge reader stationed at Raniganj sends telegrams to the Government officers concerned and also to the Sub-Overseer stationed at Jamalpur. The latter officer communicates the warning to the people interested in the undermentioned manner. One peon proceeds to Berugram, another to Srikristopore and two in turn as directed by the Sub-Overseer down the right embankment, crossing the Damodar at Mohanpur. The Sub-Overseer stationed at Baikantapur on the right bank on receiving instruction from the peons warns the villagers on the right bank. He has also instructions to inform people in important villages and certain specially selected persons. The Raniganj gauge readings are made known to everyone so that in the course of time the people will learn by experience what condition of flood to expect against a level recorded at Raniganj.

(*c*) Three quarters of the excavation work of the Uchi *Nala* has been completed. It was not possible to complete the whole work before the present monsoon. The outlet from the Sankari *Bil* to the existing *nala* was fully completed last March and has been helpful in draining the spill area."

By the Hon'ble Babu Bhabendra Chandra Ray:—

45.

Will the Government be pleased to make a detailed statement regarding the recurring and non-recurring grants made by the Government of India for education since 1912, showing briefly— Recurr non-re grants Goverr India f educati

(*i*) the purposes, terms and conditions of each such grant;

(*ii*) the amounts credited to provincial funds, year by year, under each such head;

(*iii*) the expenditure from each such grant, year by year; and

(*iv*) the balance of each grant now in hand, and the reasons for its non-utilization in each case?

Answer by the Hon'ble Mr. Goode:—

"(*i*), (*ii*) (*iii*) and (*iv*) Two statements, one for recurring Imperial grants and the other for non-recurring Imperial grants sanctioned since 1912-13, are laid on the library table"

By the Hon'ble Babu Bhabendra Chandra Ray:—

46.

Will the Government be pleased to lay on the table a statement showing— Export import c

(*a*) the date on which the Director of Civil Supplies assumed control over export of rice from Bengal;

(*b*) the quantities of rice which have since been exported from Bengal—

(*i*) to foreign countries, and

(*ii*) to other provinces in India,

month by month as compared with the corresponding figures for the six months immediately preceding his taking over charge;

(*c*) the names of firms and individuals that have been granted priority certificates during each of these months, permitting export of rice, and the quantities which were sought to be exported, as compared with those actually permitted to be exported, by each under such certificates;

(*d*) the names of firms and individuals that have been refused priority certificates for exporting rice;

(*e*) the principles or considerations that govern the granting of priority certificates for export of rice to foreign countries, and the determination of the quantities of rice in respect of which such certificates are granted;

(*f*) the quantities of rice that have been imported into Bengal from Burma during each month since the date on which control was assumed by the Director of Civil Supplies over the export of rice, as compared with the corresponding figures for the six months immediately preceding;

(*g*) the quantities of the said Burma rice imported into Bengal since the said date of control, that have been absorbed in—

(*i*) Calcutta, and

(*ii*) the other districts of Bengal,

and how much has been exported to the other provinces; and

(*h*) the date from which the wholesale price of Burma rice has been regulated in Calcutta, and how the same has varied, if at all?

Answer by the Hon'ble Mr. McAlpin:—

" A statement as below is laid on the table.

(*a*) The Director of Civil Supplies, Bengal, does not control the export of rice from this province, exports being controlled by the Food-stuffs Commissioner for India.

(*b*) The quantities of rice exported from Bengal—

(*i*) to foreign countries—

(*A*) during six months before control by the Food-stuffs Commissioner—

	Tons.
May, 1918	25,929
June, 1918	4,427
July, 1918	7,849
August, 1918	16,480
September, 1918	6,847
October, 1918	14,403

(*B*) during six months after control—

	Tons.
November, 1918	14,552
December, 1918	18,657
January, 1919	16,375
February, 1919	13,016
March, 1919	8,344
April, 1919	7,095

(*ii*) to other provinces in India—

(*A*) during six months before control—

	Tons.
Quarter ending 30th June, 1918	83,928
Quarter ending 30th September, 1918 ...	161,755

(*B*) during six months after control—

	Tons.
Quarter ending 31st December, 1918 ...	159,627
Quarter ending 31st March, 1919	232,421

The figures for individual months are not available.

(*c*) and (*d*) It would not be possible to give complete information on the subject, since certificates for the export of Bengal rice are issued not by the Director of Civil Supplies, Bengal, but by the Directors of other provinces for its export into their respective areas. Information regarding Burma rice could be supplied, but that also cannot be done without undue labour and expenditure.

(*e*) Priority certificates are given for movements by rail only, *i.e.*, for movements inside India, while exports to foreign countries are, it is understood controlled by the Food-stuffs Commissioner through the Collector of Customs.

(*f*) The quantities of rice imported into Bengal from Burma during the six months—

(*i*) before the Director of Civil Supplies, Bengal, began licensing—

	Tons.
June, 1918	12,011
July, 1918	1,670
August, 1918	11,820
September, 1918	8,512
October, 1918	12,752
November, 1918	30,132

(*ii*) after licensing began—

	Tons
December, 1918	5,982
January, 1919	29,143
February, 1919	48,978
March, 1919	38,106
April, 1919	49,081
May, 1919	42,338

(*g*) Definite information is not available.

(*h*) The wholesale prices charged by importers for Rangoon rice have been regulated since 13th December, 1918.

They were reduced by three annas for Big Mills Specials and two annas for other varieties on the 6th January.

They were increased by thirteen annas for all varieties sold c.i.f. and by twelve annas six pies for all varieties sold *ex*-godown on May 28th, 1919.

They were reduced on June 13th by two annas for all varieties loaded in Burma after June 1st.

They were reduced on June 24th by one anna for all varieties loaded in Burma after June 26th.

The rates for Bassein followed those for Rangoon.

Prices for Akyab and Moulmein rice were fixed on the 27th March and 4th April, 1919; new rates for the latter were fixed on May 28th and have been reduced since according to the reduction for Rangoon rice."

By the Hon'ble Babu Bhabendra Chandra Ray:—

47.

With reference to my unstarred question No. 16 of the 21st January, 1919, are the Government reconsidering their decision in the matter as indicated in the reply to the said question? Opening stores fo supply o food-gra

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the subject."

By the Hon'ble Babu Bhabendra Chandra Ray:—

48.

(*a*) Have the Government any information regarding the various measures of relief adopted by the different Provincial Governments or Administrations, or the local bodies therein, in connection with the present distress? Relief m in conne with pre distress.

(*b*) If so, will the Government be pleased to lay on the table a statement showing the nature of such measures, and how far they have been successful?

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the subject."

By the Hon'ble Babu Bhabendra Chandra Ray:—

49.

Provincial Department of Industries.

(*a*) With reference to unstarred question No. 9 of the 13th March, 1919, will the Government be pleased to state whether they have forwarded to the Government of India their views regarding the organisation of the Provincial Department of Industries and other matters connected therewith?

(*b*) If so, will the Government be pleased to publish the same?

Answer by the Hon'ble Mr. Payne:—

"(*a*) Yes.

(*b*) The question being still the subject of correspondence with the Government of India and the Secretary of State, the local Government are unable to publish the communication in question."

By the Hon'ble Babu Bhabendra Chandra Ray:—

50.

Resolution on Local Self-Government.

With reference to unstarred question No. LXII of the 19th August, 1918, and the reply thereto, will the Government be pleased to state whether they have arrived at any decision in regard to the Government of India Resolution on Local Self-Government which was stated in the said reply to be under consideration?

Answer by the Hon'ble Mr. Goode:—

"The resolution of the Government of India has been carefully considered by Government and definite conclusions have been arrived at. Action is being taken with regard to such of the recommendations as can be conveniently given effect to immediately. There are, however, others which cannot be given effect to without recourse to legislation and which, therefore, must wait until it is possible to take up the amendment of the Bengal Municipal Act and Local Self-Government Act."

By the Hon'ble Babu Bhabendra Chandra Ray:—

51.

Bequest of Mr. B. Pal Chaudhuri.

In regard to the circumstances referred to in the reply to unstarred question No. 24 of the 3rd April, 1919, regarding the bequest of Mr. B. Pal Chaudhuri, will the Government be pleased to state what action (if any) they are taking in the matter?

Answer by the Hon'ble Mr. Goode:—

"Government do not propose to take any action. The bequest was made to the District Board of Nadia and it is understood that that body is dealing with the matter."

By the Hon'ble Babu Bhabendra Chandra Ray:—

52.

Supply of Bengali copies of Village Self-Government Act in rural areas.

Are the Government considering the desirability of circulating a Bengali translation of the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), in the rural areas?

Answer by the Hon'ble Mr. Goode:—

"Arrangements are being made to translate the Act into Bengali When the translation is ready, it will be available for supply to members of Union Committees and other persons in rural areas"

By the Hon'ble Babu Bhabendra Chandra Ray:—

53.

What steps have been taken in pursuance of Government resolution No. 1478-Medical, dated the 31st August, 1917, and Government letter No. 2752-Medical, dated the 18th September, 1917, regarding the desirability of bringing district board dispensaries within easy reach of villages? District Board dispensaries.

Answer by the Hon'ble Mr. Payne:—

"The questioner is referred to the answer given to a similar question (unstarred question No. 72) asked by the Hon'ble Babu Siv Narayan Mukharji."

By the Hon'ble Babu Bhabendra Chandra Ray:—

54.

(*a*) Will the Government be pleased to state the names of persons who have been released from internment "unconditionally," together with the dates of internment and release in each case? Unconditional release of certa interness.

(*b*) What are the considerations that generally determine such "unconditional" release?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) and (*b*) Government are not prepared to give the names asked for The second part of the question does not permit of a general answer; the form of order passed depends upon the merits of the individual case"

By the Hon'ble Babu Bhabendra Chandra Ray:—

55.

Will the Government be pleased to state the number of visits paid since their appointment by the non-official visitors to each political prisoner and the interval between different visits to each? Non-official visitors to political prisoners.

Answer by the Hon'ble Mr. Kerr:—

"Non-official visits to State prisoners are usually paid monthly, and appear to have numbered 77 to date, though this number is of visits to the jail, which may contain more than one prisoner. In the case of *détenus* the information could not be compiled without undue labour which it is thought unnecessary to undertake."

By the Hon'ble Mr. H. R. A. Irwin:—

56.

Revision of the terms of existing risk notes.

(*a*) Is it a fact that the terms of the risk notes at present in force were drawn up nearly thirty years ago when conditions prevailing in the country were quite different to what they are at the present day?

(*b*) Are the Government considering the desirability of recommending to the Government of India that the Railway Board be instructed to inquire into the matter with a view to the revision of the said terms?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) No. The form and terms of risk notes for use by railway administrations working railways to which the Indian Railways Act, 1890 (IX of 1890), applies, are subject to the approval of the Governor General in Council under section 72, sub-section (2), clause (*b*) of that Act. The forms at present in use are lettered A, B, C, D, E, F, G, H and X, Y. Of these, Forms A, B, C, D, E, F, H and X were revised and the revised forms adopted with effect from the 1st July, 1898. Forms Y and G as an alternative to forms X and D were adopted with effect from the 1st July, 1900, and the 1st February, 1903, respectively. Forms B and H were again subsequently revised and the revised forms brought into use with effect from the 1st April, 1907. Forms D and G were also again revised and the revised forms brought into use with effect from the 1st April, 1909. There has been no further revision of any of the forms since the last date named

(*b*) No."

By the Hon'ble Khan Sahib Aman Ali:—

57.

Expenditure of the Imperial Educational Grant.

(*a*) With reference to my unstarred question No. XLIX asked at the meeting of Council on the 26th November, 1918, and the reply thereto, will the Government be pleased to state whether they are at present in a position to give the information asked for in the question?

(*b*) Has the attention of the Government been drawn to the remarks by the Hon'ble Sir Sankaran Nair in the Imperial Legislative Council in the last budget debate of that Council in regard to the expenditure of the Imperial Educational grant of nine lakhs and, if so, what steps (if any) have they taken to expedite the expenditure of this grant?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Government of India made a recurring grant of Rs. 9 lakhs in 1917-18 for the improvement of primary and secondary education in Bengal. Proposals for its disbursement are still under discussion with the Government of India and final orders have not yet been received.

(*b*) The grant of 9 lakhs referred to in Sir Sankaran Nair's speech in the budget debate of March last was for the whole of India. This province received (persumably as its share) a grant of 5½ lakhs in 1918-19 for primary education, the whole of which has been distributed."

By the Hon'ble Khan Sahib Aman Ali:—

58.

Hot weather charges for Government high schools in the Chittagong division.

(*a*) Is it a fact that no provision has been made for hot weather charges for Government high schools in the Chittagong division?

(*b*) If so, are the Government considering the desirability of making provision for this as early as possible?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The reply is in the affirmative.

(*b*) Necessary funds have recently been placed at the disposal of the Inspector of schools."

By the Hon'ble Khan Sahib Aman Ali:—

59.

(*a*) Will the Government be pleased to lay on the table a statement showing separately the figures for the last five years of the Education Department as to— Certain statements re the Educational Budget Grant etc., for the last five years.

(*i*) the surpluses both in recurring and non-recurring grants, under different heads; and

(*ii*) the items of expenditure, and the heads of allotments of the Imperial grants to this province?

(*b*) Is it a fact that surpluses have been accumulating in the Educational Budget year after year?

(*c*) Are the Government considering the desirability of expediting the expenditure of those surpluses and, if so, are the Government in a position to say when these surpluses are likely to be fully spent?

Answer by the Hon'ble Mr. Goode:—

"(*a*) (*i*) and (*ii*) and (*b*) The Hon'ble Member is referred to the reply to unstarred question No. 45 asked by the Hon'ble Babu Bhabendra Chandra Ray.

(*c*) No expenditure out of these surpluses can be incurred without the sanction of the Government of India and Government are not in a position to say at present how soon these surpluses can be spent."

By the Hon'ble Khan Sahib Aman Ali:—

60.

(*a*) In regard to my question No. 19 (unstarred) asked at the meeting of Council on the 3rd April last regarding the grant of hill allowance to the teachers of the Rangamati High English School, are the Government considering the desirability of increasing the allowance in question up to 33 *per cent.* of the pay of the teachers so that the deduction of house-rent at the rate of 10 *per cent.* on their salary will leave intact the 20 *per cent.* allowance on their pay which was formerly granted to compensate them for the other inconveniences of the place? Grant of hill allowance to the teachers of the Rangamati High English School.

(*b*) With reference to the reply given to the second part of the question referred to in clause (*a*), are the Government considering the desirability of reconsidering the matter of granting the increase in the hill allowance at least from the date on which such increase was granted to the ministerial officers of Rangamati?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) The matter is still under the consideration of the Director of Public Instruction, but he is being asked to expedite the submission of his proposals."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

61.

Regulation of traffic in the northern part of Calcutta.

With reference to the answer to my unstarred question No. XLIX of the 3rd July, 1918, will the Government be pleased to state whether any progress has been made in the scheme of the Commissioner of Police, in the matter of regulating the traffic in the northern part of Calcutta with the help of the traffic-police, especially in the Burra Bazar, Jorabagan and Kumartooly areas?

Answer by the Hon'ble Mr. Kerr:—

"In October, 1918, Government sanctioned the increase of the traffic police by 22 head constables and 270 constables. Of this number 22 head constables and 187 constables have been recruited from other branches of the Calcutta Police, and partially trained. Thirty-seven new traffic posts have already been put down and manned in the town of Calcutta north of Harrison Road. Before October last, the sanctioned strength of the traffic-police was 12 head constables and 126 constables, so under the recent increase the force will practically be trebled."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

62.

Municipalities outside Calcutta having 1st and 2nd class Health Officers and Sanitary Inspectors.

(*a*) Will the Government be pleased to lay on the table a statement showing the Municipalities (outside Calcutta) which have at present in their employ 1st and 2nd class Health Officers and 1st and 2nd class Sanitary Inspectors, respectively?

(*b*) What arrangements are there for the training of candidates for employment as Sanitary Inspectors?

(*c*) How many persons have so far availed themselves of these opportunities of training?

(*d*) How many of them have been successful at the Sanitary Inspectorship Examination?

Answer by the Hon'ble Mr. Goode:—

"(*a*) A statement is laid on the table.

(*b*) The Sanitary Commissioner conducts a special class for the training of 2nd class Sanitary Inspectors. The course lasts for 8 months.

(*c*) 237 candidates have been admitted into the class including the current session.

(*d*) Up to November, 1918, when the last examination was held, 117 men were successful in securing certificates."

Statement referred to in the answer by the HON'BLE MR GOODE *to question No. 62 asked by the* HON'BLE RAI RADHA CHARAN PAL BAHADUR *at the Council Meeting of the 3rd July, 1919, showing the Municipalities (outside Calcutta) which have in their employ Health Officers and Sanitary Inspectors.*

Name of Municipality	Number and class of Health Officers appointed	Number and class of Sanitary Inspectors appointed
Burdwan ...	1 Second Class ...	2 Second Class.
Kalna	.....	1 ,, ,,
Katwa	.....	1 ,, ,,
Raniganj	.....	1 ,, ,,
Asansol	.....	1 First ,,
Suri	.....	1 Second ,,
Bankura	.....	1 ,, ,,
Vishnupur ...	.....	1 ,, ,,
Sonamukhi ...	.....	1 ,, ,,
Midnapore ...	1 Second Class (now vacant) ...	2 ,, ,,
Ghatal	.....	1 ,, ,,
Tamluk	.....	2 ,, ,,
Hooghly-Chinsura ...	.....	2 ,, ,,
Serampore	1 Second Class ...	2 ,, ,,
Rishra-Konnagore ...	.....	1 ,, ,,
Uttarpara ...	.....	1 ,, ,,
Baidyabati ...	.....	1 ,, ,,
Bhadreswar ...	.....	1 ,, ,,
Champdani ...	.....	1 ,, ,,
Howrah ...	1 First Class ...	4 ,, ,,
Bally	.....	1 ,, ,,
Cossipore-Chitpore ...	1 First Class ...	1 First Class and 1 Second Class.
Maniktala ...	1 Second Class ...	3 ,, ,,
South Suburban ...	1 ,, ,, ...	1 ,, ,,
Tollyganj ...	.....	1 ,, ,,
Garden Reach ...	1 Second Class ...	1 ,, ,,
Budge-Budge ...	1 ,, ,, ...	1 ,, ,,
Baranagore ...	1 ,, ,, ...	1 ,, ,,
Kamarhati ...	.....	1 ,, ,,
Rajpur	.....	1 ,, ,,
Baruipur	.....	1 ,, ,,
Jaynagar	.....	1 ,, ,,
South Dum-Dum ...	.....	1 ,, ,,
Panihati	.....	1 ,, ,,
North Barrackpur ...	.....	1 ,, ,,
Tittagarh	.....	2 ,, ,,
Garulia	.....	1 ,, ,,
Naihati	.....	1 ,, ,,
Bhatpara	1 Second Class ...	2 ,, ,,
Baraset	.....	1 ,, ,,
Basirhat	.....	1 ,, ,,
Krishnagar ...	1 Second Class (at present vacant)	1 ,, ,,
Nadia	.....	1 ,, ,,
Ranaghat	.....	1 ,, ,,
Santipur	1 Second Class ...	1 ,, ,,
Kushtia	.....	1 ,, ,,
Berhampur ...	1 Second Class	1 ,, ,,
Murshidabad ...	.....	1 ,, ,,
Azimganj	.....	1 ,, ,,
Jangipur	.....	1 ,, ,,
Jessore	.....	1 ,, ,,
Khulna	.....	1 ,, ,,
Satkhira	.....	1 ,, ,,
Rampore Boalia ...	1 Second Class ...	1 ,, ,,
Natore	.....	1 ,, ,,

Name of Municipality	Number and class of Health Officers appointed.	Number and class of Sanitary Inspectors appointed
Dinajpur	1 Second Class.	
Jalpaiguri	.....	
Rangpur	.....	1 First Class.
Bogra	.....	1 Second Class.
Pabna	.....	1 ,, ,,
Serajganj	.....	1 ,, ,,
English Bazar ...	.....	1 ,, ,,
Nawabganj ...	.....	1 ,, ,,
Dacca	1 First Class ...	3 ,, ,,
Narayanganj ..	1 Second Class ..	1 ,, ,,
Mymensingh ...	1 ,, ,, ...	1 ,, ,,
	(at present vacant)	
Netrokona ...	.....	1 ,, ,,
Jamalpore ...	.....	1 ,, ,,
Sherpore	.....	1 ,, ,,
Kishorganj ...	.....	1 ,, ,,
Tangail	.....	1 First Class.
Faridpur	.....	1 Second Class.
Madaripur ...	.....	2 ,, ,,
Barisal	1 Second Class	1 ,, ,,
	(not yet employed)	
Jhalakati	.....	1 ,, ,,
Pirojpur	.....	1 ,, ,,
Chittagong ...	1 Second Class ...	2 ,, ,,
Noakhali	.....	1 ,, ,,
Comilla	.....	1 ,, ,,
Brahmanbaria ...	.....	1 ,, ,,
Chandpur ...	.....	1 ,, ,,

By the Hon'ble Rai Radha Charan Pal Bahadur:—

63.

Progress in vernacular medical education.

Has any progress been made in regard to the question of vernacular medical education? If not, what are the reasons for the delay in giving effect to the proposal?

Answer by the Hon'ble Mr. Payne:—

"The questioner is referred to the reply given by the Hon'ble Mr. Donald to a question on the same subject asked by the Hon'ble Babu Surendra Nath Ray on the 5th March, 1919. It was then stated that Government did not contemplate the establishment of schools or the opening of special classes for imparting medical education in the vernacular. This decision was arrived at upon full consideration and after a reference to the Government of India. The existing facilities for imparting medical education in English are still behind the demand for such a training, and it is to the provision of further facilities upon existing lines that it is the wish of the local Government to give preference."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

64.

Non-official efforts for sanitary improvement in certain malarial areas.

Are the Government aware of non-official efforts for effecting sanitary improvements in certain malarial areas on co-operative principles? If so, what steps (if any) are the Government taking for furthering these and other similar efforts?

Answer by the Hon'ble Mr. Goode:-

"Government are aware of the interesting movement which has recently sprung into existence in the direction of the formation of anti-malarial societies on co-operative lines. There are now three such societies in operation, viz. in Panihati, Sukchar and Sodepore, in the 24-Parganas district. Their aims are to provide for free medical attendance and treatment to the members of the society and to carry out local sanitary improvements. The Co-operative Society at Naogaon has also decided to open three dispensaries and to employ three doctors. Quite recently Rai Bahadur, Dr. G. C. Chatterji who has been a pioneer in this movement, and a number of other gentlemen interested in co-operation and sanitation, approached the Registrar with a view to the registration of a provincial society at Calcutta for the encouragement of anti-malarial societies in the *mufassal*. The Registrar has given them every assistance in drafting by-laws and in making preliminary arrangements.

The Registrar is giving every encouragement in his power to these societies. The Bengal Co-operative Organisation Society, which receives a subsidy from Government towards its publication, has also given wide publication in its journals to the formation of these societies and to other anti-malarial propaganda."

By the Hon'ble Rai Radha Charan Pal Bahadur:-

65.

With reference to unstarred question No. LXXVI of the 3rd July, 1918, will the Government be pleased to state— Development of resources of the country.

(*a*) what steps (if any) have been taken for the development of the resources of the country since the last war conferences at Delhi and at Calcutta;

(*b*) in what directions such steps have been taken, and with what result; and

(*c*) to what extent Indian capital and talents have been utilised thereby?

Answer by the Hon'ble Mr. Payne:—

"(*a*) and (*b*) The Hon'ble Member is referred to the answer given to questions VI (*e*) and (*f*) on the 18th February last. A copy of the new edition of the Indian Munitions Board's handbook is laid upon the library table and attention is invited to articles 2 3 (*a*), 8, 17, 29, 30 and 36.

The Hon'ble Member is also referred to the speech of the Hon'ble Revenue Member in reply to the resolution moved by the Hon'ble Mr. P. C. Mitter on the 27th March, 1919, in which some of the steps taken to develop the resources of the Forest and Cinchona Departments were summarised.

Government have at present under consideration two applications for the extraction of wood or bamboo from forests in the Chittagong Hill-tracts Forests Division for commercial purposes.

The investigation of the tannin resources of the Sunderbans is being conducted by an expert to the Government of India.

With regard to agriculture, the Hon'ble Member is referred to the Government Resolution No. 631-T.R., dated the 7th June, 1919, of which a copy is laid on the library table.

With regard to the weaving industry, the Hon'ble Member is referred to the answer to starred question No. VI.

(*c*) It is difficult to answer this question precisely. During 18 months the Indian Munitions Board placed net orders to the value of 34 crores of rupees An analysis of bills amounting to 8¼ crores shewed that 47 *per cent* was paid to purely Indian firms.

It is understood that Indians have not stood aloof from the Industrial section of the share market, while a few of the Industrial Companies are believed to have been subscribed to almost entirely by Indians.

An Indian superintendent and an Indian chemist have been appointed to the new Government Research Tannery."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

66.

Progress of stegomyia inquiry.

Will the Government be pleased to state what progress (if any) has been made in regard to the stegomyia inquiry, the results achieved thereby, and the total amount spent in connection therewith?

Answer by the Hon'ble Mr. Goode:—

"The Hon'ble Member is referred to the reply to unstarred question No. 2 at to-day's meeting."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

67.

Expenditure on, and result of, silkworm investigations.

(*a*) What amount has so far been expended in connection with Miss Cleghorn's investigations regarding silk-worms, and to what practical application have the results of these investigations been put?

(*b*) Has any expert opinion been obtained with regard to the value of these investigations?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Rupees seventy-one thousand three hundred and four have been expended so far in five years in connection with Miss Cleghorn's investigation into silk.

The work involves a complete and detailed study of silk-worms, of which the production of hybrids is one branch. An observation made by Miss Cleghorn has been made the basis of a valuable method of selection, whereby the eggs of moths preserving the greatest vitality are used in the production of seed cocoons for distribution to rearers.

The races will have to be tested for several years before it can be deemed safe to distribute them to rearers.

(*b*) Mr. Maxwell-Lefroy, Professor of Entomology at the Imperial College of Science, London, and lately Silk Specialist to the Government of India, spoke highly of Miss Cleghorn's work, and his remarks have been endorsed by the Bengal Silk Committee."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

68.

In regard to the examination for admission to the general list of the Indian Finance Department, will the Government be pleased to state— Candidates f admission to Indian Finar Department General List.

(*a*) the number and educational qualifications of candidates from Bengal—

(*i*) who were recommended for the examinations held in the years 1916 and 1917; and

(*ii*) who actually appeared at the examinations held in those years; and

(*b*) the number and educational qualifications of candidates from Bengal who have been recommended to sit for the examination to be held in 1919?

Answer by the Hon'ble Mr. Payne:—

"The table below gives the information desired :—

Recommended by Government of Bengal.				Chosen to appear at examination.			
Year.	No.	Educational qualification.		Year.	No.	Educational qualification.	
1916.	6.	M.A. (1st class)	... 3	1916.	7.	M.A. (1st class)	... 5
		M.Sc. (1st class)	... 1			M.Sc. (1st class)	... 1
		M.A (2nd class)	... 1			B.Sc. (Hons.)	... 1
		B.Sc. (Hons.)	... 1				
1917.	9.	M.A. (1st class)	... 4	1917.	7.	M.A. (1st class)	... 4
		M.Sc. (1st class)	... 3			M.Sc. (1st class)	... 2
		B.A. (Hons.)	... 1			B.A. (Hons.)	... 1
		B.Sc. (Hons.)	... 1				
1919.	6.	M.A. (1st class)	... 4				
		M.A. (2nd class)	... 1				
		B.Sc. (Hons.)	... 1"				

By the Hon'ble Rai Radha Charan Pal Bahadur:—

69.

In regard to the Toll Collectors employed on the Calcutta and Eastern Canals and other canals in Bengal, will the Government be pleased to state— Toll Collectors on Bengal canals.

(*a*) the average amount of revenue which passes through their hands in a year;

(*b*) their present pay, and the date when it was fixed; and

(*c*) whether there are any proposals under consideration for revising the present scale of pay with a view to attract a better class of men?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) and (*b*) The following table exhibits the average revenue passin through the hands of the Toll Collecto's on canals in Bengal, the average pa drawn, and the year in which the scale of pay was fixed :—

CANAL GROUP.	Number of Toll Collectors.	Average pay.	Date when pay was fixed.	Average revenue passing through each Toll Collector's hands.	REMARKS.
		Rs.		Rs.	
Magra Hat	7	30	30-4-1914	3,623	
Midnapur Canal ...	7	26½	7-7-1905	5,747	
Hijili Tidal Canal ..	4	27½	7-7-1905	12,166	
Orissa Coast Canal ...	4	27½	7-7-1905	4,857	
Kristopur Canal ...	1	70	2-5-1911	1,35,846	Is a Sub-Overseer, 1st grad who draws Rs 20 loc allowance in addition pay.
Circular and New Cut Canal	3	47½	21-4-1890	38,092	Pay includes local allow ance.
Tolly's Nala ...	3	48½	21 4-1890	17,112	Ditto.
Madaripur Bil ...	2	40	6-3 1917	9,411	
Nadia Rivers ...	2	60	4-4-1919	6,913	One Toll Collector is a 1 grade Sub-Overseer Rs. 70 *plus* Rs. 20 loc allowance. The oth draws Rs. 50.

In addition tolls are realised by the Public Works Department Sul divisional Officer at Jangipore in the Nadia Rivers Division; by the Sul divisional Officer, No. 2 Sub-Division of the Circular and Eastern Canal Division, for Sunderbans steamer and flat traffic, and by the Executiv Engineer, Circular and Eastern Canals Division, for steamer and flat traffi through the Madaripur Bil Route, on bearing tickets.

(*c*) Yes, a scheme is under preparation."

By the Hon'ble Babu Siv Narayan Mukharji:—

70.

Survey of the Rohra *khal*.

Will the Government be pleased to state—

(*a*) whether the survey of the Rohra *khal*, as referred to in the reply to unstarred question No. 25, asked at a meeting of the Council held on the 18th February last, has since been completed;

(*b*) the nature and extent of the work proposed to be undertaken, together with the names of the villages through which the *khal* will pass and other particulars of the scheme; and

(*c*) whether it is proposed to execute the scheme during the current financial year?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) and (*b*) The preliminary survey in connection with the proposed improvement of the Rohra *khal* has been received and the project is now under examination. No particulars in regard to the scheme can be given until the examination of the project has been completed.

(*c*) There is a provision of Rs. 20,000 in the current year's budget for works in connection with this scheme and it is hoped that the work, if found suitable, will be taken up in the course of the current financial year."

By the Hon'ble Babu Siv Narayan Mukharji:—

71.

Will the Government be pleased to lay on the table a statement showing — Statement as to progress, expenditure, etc of certain public works.

(*i*) the detailed progress that has been made in the improvement of the lower reaches of the Damodar with a view to drain away the spill of that river;

(*ii*) the nature and extent of the investigations carried on during the last financial year by Mr. Glass, the Special Officer, in connection with the Reservoir Inquiry Survey at the upper reaches in the Barakar and Damodar valleys;

(*iii*) the nature and extent of the survey operations now in progress between Kumirkhola and the Begua *khal* with a view to mitigate the ravages of the flood; and

(*iv*) the actual amount spent up to the close of the last financial year on the anti-flood measures, together with the details of the work on which the amount was so spent?

Answer by the Hon'ble Mr. Cowley:—

"(*i*) (*a*) The Ghesapatty *khal* has been excavated for a length of nearly 3 miles to a bed width of 100 feet and depth of 12 feet.

(*b*) The Buxi *khal* embankment has been retired about half a mile inland over a length of about one mile.

(*c*) The Hoorhoora *khal* has been excavated by hand labour, for a length of 3 miles in the district of Howrah, to a width of 50 feet and a depth of 12 feet. This portion of the *khal* will be finally improved by dredging

(*ii*) (*a*) *Study of Natural Phenomena.*—

Available statistics of rainfall and flood gaugings have been analysed and from these have been established the nature and frequency of floods in the Damodar river. The maximum possible flood to be provided for in the design of the flood-regulating dams has been calculated.

(*b*) *River Surveys.*—

(*i*) From cross sections and flood levels the maximum rate of discharge of the record flood of 1913 for various sites has been calculated.

(*ii*) Levels have been taken along the right bank of the river where the flood water spills to estimate the extent of the spill

(*iii*) Cross sections of the Lower Damodar have been taken to ascertain the actual carrying capacity of the river between banks

(*c*) *River Gauging.*—

During the monsoon special gaugings have been carried out at severa selected sites, velocity observations made and experiments to ascertain th proportion of silt carried in the water.

(*d*) *Reconnaisances for Dam sites* :—

The valleys of the Barakar and Upper Damodar rivers and of some c their main tributaries have been examined and the possibility of the construc tion of reservoir dams investigated.

(*e*) *Survey and investigation of selected sites for Dams.*—

(*i*) Basins of proposed reservoirs have been contoured, and informatio obtained of the area likely to be submerged.

(*ii*) Detailed plans for each site have been prepared.

(*iii*) The nature of the soil, sub-soil and rock available at each site ha been thoroughly investigated.

(*iv*) Information in regard to materials of construction available has bee collected

(*f*) *Design of Dams and Reservoirs.*—

The general principles and outlines of designs have been worked ou while the detailed proposals are well in hand; a definite project for contr of the floods by reservoirs is under preparation.

(*iii*) Surveys are being made to trace (if possible) the changes in th features of the country during the last 60 years both as regards the levels c the country and the changes in the Begua and other spill *khals*. The survey extend to the extreme limits of the 1913 flood: and, when completed, wi afford valuable indications as to the extent of relief possible for the preventio of water-logging after a flood.

(*iv*)

	Rs.
(*a*) Retirement of Buxi *khal* embankment	73,774
(*b*) Improvement of Buxi *khal*	8,490
(*c*) Improvement of Ghesapatty *khal*	1,41,893
(*d*) Raising Damodar Right Embankment and Buxi *khal* embankment	12,518
(*e*) Raising Damodar Left Embankment	18,043
(*f*) Repairs at Jotekubir and Dhapdhara in 42nd and 44th mile of Damodar Left Embankment	16,271
(*g*) Hoorhoora *khal* project (cost of land acquisition to be adjusted in final account for March 1919)	1,24,217
(*h*) Uchi *Nala* project	5,199
(*i*) Spur works in mile 71 of Damodar Left Embankment at Kalyan chak	952
(*j*) Raising Ajai Embankment	50,487
(*k*) Remodelling portion of Ajai Embankment between Bakshi Bazar and Sagarpatal	3,721
Total ...	4,55,615

By the Hon'ble Babu Siv Narayan Mukharji:—

72.

Will the Government be pleased to state what steps have been taken by the district boards of the Presidency to give effect to the wishes of Government for the establishment of a network of dispensaries in rural areas, as mentioned in the resolution of Government on the working of the district boards of the Presidency for the year 1917-18, under paragraph "Medical"?

Establishment dispensaries i rural areas.

Answer by the Hon'ble Mr. Payne:—

"As the result of a circular issued by Government on the 18th September, 1917, urging upon district boards the necessity for establishing more dispensaries in the *mufassal*, 10 such dispensaries were opened during 1918, 4 have been opened during the preceding months of the current year and proposals for opening 134 more are now under consideration"

By the Hon'ble Mr. Arun Chandra Singha:—

73.

(*a*) With reference to the answer to unstarred question No. XI of 3rd July, 1917, regarding the removal of the headquarters station of the Noakhali district, are the Government aware that the erosion of the river Meghna has proceeded with alarming rapidity during the last two years and that the *zilla* school, the Madrassa the Mission House, the Hindu and Muhammadan Boarding buildings and some residential buildings have already been washed away?

Removal of headquarters the Noakhali district.

(*b*) Are the Government also aware that the erosion of the Meghna has been a matter of grave anxiety and great concern to the people of Noakhali?

(*c*) Are the Government considering the necessity of making any arrangement for the removal of the headquarters station at once?

(*d*) If so, will the Government be pleased to state what site, if any, has been selected for this purpose and whether this removal will be temporary or permanent?

Answer by the Hon'ble Mr. Kerr:—

"It is unfortunately the case that the erosion by the Meghna at Noakhali is proceeding at a rather more rapid rate this year than in former years, and that the buildings mentioned in the question which lay between the river and the town have been washed away. Government have no doubt that the situation is causing grave anxiety to the people of Noakhali. At the same time, the town itself is in no immediate danger, and there is still the possibility that the erosion may cease before the river reaches the town. In these circumstances, Government propose to adhere to the policy which they have already declared in this Council and elsewhere They have no intention of abandoning the present station unless the erosion of the Meghna should render this course necessary, and have come to no decision as to the site which should in that event be selected as the headquarters. Meanwhile temporary quarters are being built at Sonapur, and will shortly be ready, for those officials whose houses are in most imminent danger, and arrangements have been made for the temporary accommodation of the zilla school and madrassa."

By the Hon'ble Mr. Arun Chandra Singha:—

74.

Rise in the price of rice and other food-stuffs in Bengal.

(*a*) Are the Government aware that the rise in the price of rice and other food-stuffs in the Presidency has been very rapid and abnormal since the beginning of this year?

(*b*) Are the Government also aware that this rise has been causing great anxiety to the whole population of the Presidency and that the poorer people are already suffering a great deal on this account?

(*c*) Have the Government taken any steps to ascertain the causes of this rise? If so, will the Government be pleased to state what these causes are?

(*d*) What steps (if any) are the Government taking with a view to mitigating the sufferings of the poor of this Presidency on account of the rise of prices?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*), (*b*), (*c*) and (*d*) The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the same subject which will be moved at the present Council meeting and to the following Press *communiqué* of the 14th June, 1919:—

'The question of the retail price of rice in the Bengal Presidency has been continuously under examination by the Local Government for many months past; and, in particular, the pronounced rise which began last April has been the subject of careful and minute examination. It is within the knowledge of the public that the control of rice is under the direction of the Government of India. The general principle which is being adopted is that supplies of rice are being directed from the provinces in which stocks are still available to those provinces in which but for outside help actual shortage of food is feared. But on the representation of the Bengal Government regarding the abnormally high prices now prevailing in the Presidency, the Imperial Government have re-examined the whole question of outside demands on Bengal and in its interests have adopted the following measures.

2. The monthly allotment made by the Foodstuffs Commissioner for exports of rice by rail to other provinces has been materially decreased; and overseas export to Madras has been substantially reduced. A moderate allotment of Burma rice has been made for Bengal *via* Calcutta, which, it is anticipated, will be continued monthly; whilst arrangements have been made for the import of rice from Akyab to Chittagong for the use of Assam and of the Eastern districts of Bengal. The Government of India have also under consideration measures for the prevention of the creation of competitive prices by purchasers from other provinces bidding against one another. Further, the freight of rice from Rangoon to Calcutta has been decreased.

3 The Government of Bengal have at present no reason to anticipate any actual shortage of rice; but by the census of stocks of rice in the province, orders for which have recently issued, it is proposed to ascertain more clearly the position in each district and in the Presidency as a whole, and, in particular, whether there is any improper holding up of stocks.'"

By the Hon'ble Mr. Arun Chandra Singha:—

75.

High prices of cloth in Bengal.

(*a*) Are the Government aware that high prices of cloth are still prevailing throughout the Presidency, and that there is also an upward tendency of these prices?

(*b*) Are the Government also aware that great distress prevails throughout the Presidency owing to these high prices?

(*c*) Have the Government caused any inquiry to be made into the causes of these high prices of cloth? If so, what are the causes?

(*d*) Is there any reason to think that there is a likelihood of these prices falling soon?

(*e*) Will the Government be pleased to state what steps (if any) they are taking to control the prices of cloth?

Answer by the Hon'ble Mr. Payne:—

"(*a*) The price of cloth throughout the Presidency is still considerably above the pre-war normal, but retail prices have varied very little during the last six months and are now very much the same as they were in the latter part of January.

(*b*) Yes.

(*c*) An inquiry was made by a Committee appointed by Government in July, 1918. The same causes of high prices which were then found to exist are still at work. These were explained in the course of the debate on the resolution moved by the Hon'ble Rai Mahendra Chandra Mitra Bahadur on the 19th February, 1919.

(*d*) There are signs of future improvement in imports of cloth, but it is difficult to forecast future prices.

(*e*) Government are carefully watching the trend of prices of cloth, but do not at present contemplate taking any special action."

By the Hon'ble Babu Surendra Nath Ray:—

76.

(*a*) Will the Government be pleased to state whether the Inspectress of Schools, Dacca Circle, has gone on leave? If so, for how long? Miss Lilavati Ghose.

(*b*) It is a fact that Miss Lilavati Ghose has been appointed to act in the vacancy?

(*c*) When did Miss Lilavati Ghose receive her first permanent appointment in the Education Department?

(*d*) How many Assistant Inspectresses are there altogether in Bengal, and how many of them are senior to Miss Lilavati Ghose?

(*e*) Which of the Assistant Inspectresses has served the longest in the Education Department, and for how many years, and in what important capacities did she serve during that period?

(*f*) What are the reasons for appointing such a junior officer as Miss Lilavati Ghose to the post?

(*g*) Did any of the other Assistant Inspectresses ever officiate as Inspectress of Schools, either in East or West Bengal, or in both and if so who are they, and how often and for what periods did they officiate on each occasion?

(*h*) Why have their claims been set aside on this occasion?

(*i*) Is this the only occasion on which Miss Lilavati Ghose has been appointed to officiate as Inspectress of Schools?

(*j*) If not,—

(*i*) when was she appointed before this as officiating Inspectress of Schools; and

(*ii*) for what periods?

(*k*) Did she hold any permanent appointment when she was first appointed to officiate as Inspectress of Schools?

(*l*) What post did she hold then?

(*m*) Who was the Assistant Inspectress of Schools in Dacca during that period?

(*n*) What were the important positions held by that Assistant Inspectress during the period of her service in the Education Department? To what grade of Provincial Service did she belong, and how long was she in the Education Department when she was so superseded?

(*o*) Will the Government be pleased to state what were the considerations which led them on that occasion to supersede the claims of this Assistant Inspectress of Schools, and other senior Assistant Inspectresses of Schools in Bengal?

(*p*) Will the Government be pleased to state what evidence they possess of the superior ability of Miss Lilavati Ghose to justify the supersession on this occasion against all her seniors?

(*q*) Will the Government be pleased to state whether it is a fact that when Miss Lilavati Ghose was acting as officiating Inspectress of Schools, Faridpur and Barisal, several complaints were made to the then Director of Public Instruction against her by school authorities, both European and Indian? If so, what was the nature of those complaints?

(*r*) Will the Government be pleased to state whether they are aware of the great discontent created by this appointment?

(*s*) Is it in contemplation to revise the orders?

(*t*) Will the Government be pleased to place on the table the departmental correspondence with reference to the appointment of Miss Lilavati Ghose as officiating Inspectress of Schools?

Answer by the Hon'ble Mr. Goode:—

"(*a*) Miss Irons, the permanent Inspectress of Schools, Dacca Circle, went on 6 months' leave on the 24th of May, 1919.

(*b*) Yes.

(*c*) Miss Lilavati Ghose was permanently appointed to the Provincial Educational Service, on the 2nd December, 1918.

(*d*) There are 12 Assistant Inspectresses altogether, of whom 9 are senior to Miss Ghose.

(*e*) Miss Hridoybala Bose has served the longest in the Education Department, having rendered nearly 13 years' service. She officiated as Inspectress of Schools of the Burdwan Circle as well as of the Dacca Circle.

(*f*), (*h*), (*o*) and (*p*) Miss Lilavati Ghose has proved herself a capable officer who is familiar with the working of the office of Inspectress of Schools, having been in charge of it before, and it was considered desirable to avoid disorganisation by unnecessary transfers.

(*g*) Miss Hridoybala Bose officiated—

(*1*) as Inspectress of Schools, Presidency and Burdwan and Orissa Divisions, from the 5th December, 1907, to the 3rd March, 1908, and again from the 31st August, 1909, to 15th October, 1909;

(*2*) as Assistant Inspectress of Schools, Dacca Circle, from the 9th October, 1914, to 19th November, 1915;

(*3*) as Inspectress of Schools, Presidency and Burdwan Divisions, from the 12th October, 1916, to 1st October, 1918.

(*i*) and (*j*) Miss Lilavati Ghose held charge of the office of the Inspectress of Schools, Dacca Circle, during the absence on leave of Miss Irons for one month and one day in 1918.

(*k*) No.

(*l*) She was officiating Additional Assistant Inspectress, Dacca Division (at Faridpur).

(*m*) and (*n*) The late Mrs. Kumudini Das, who was then the Assistant Inspectress, was Lady Principal of the Bethune College for many years and was in class IV of the Provincial Educational Service. Her service in the Education Department commenced from the 1st March, 1902.

(*q*) Government have no information and no papers can be traced.

(*r*) Yes.

(*s*) No.

(*t*) Government are not prepared to place departmental correspondence on the table."

LEGISLATIVE BUSINESS.

LIST OF BUSINESS—ITEM No. 3.

THE CALCUTTA MUNICIPAL BILL, 1917.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, moved that the Calcutta Municipal Bill, 1917, be withdrawn.

He said :—

"My Lord, in moving this motion I feel that on behalf of Government I must explain at some length the reasons that have weighed with the Government to decide upon the course which I have now proposed. It may be within the recollection of members of this Council that Sir S. P. Sinha (now Lord Sinha) when introducing the Calcutta Municipal Bill on the 27th of November, 1917, pointed out that doubts and difficulties had from time to time arisen with regard to the construction and practical operation of the Calcutta Municipal Act of 1899 and there had been also a growing volume of public opinion that the constitution of the Corporation should be further liberalized. Lord Sinha then sketched the genesis of the present Bill and, among other things, he pointed out that 'in the address which the Chairman and the Commissioners of the Calcutta Corporation presented on behalf of the citizens of Calcutta, to His Excellency Lord Carmichael, on his arrival in Calcutta, to take up the Government of the Presidency, they expressed the opinion that their administration would not be effective without some radical alterations in the law and in the constitution of the Corporation, and they invited consideration of the suggestions of the Royal Commission on Decentralization regarding the Corporation'. I may mention here that the Royal Commission upon Decentralization, after going into the question of municipal administration generally, were strongly impressed with the necessity of relieving the Chairman from having to preside at all meetings of the Corporation and the General Committee and at practically all special and sub-committees. They accordingly recommended in their Report the adoption of the system in force in Bombay under which all executive authority vests in a Municipal Commissioner appointed by Government, who is not a member of the Corporation. Lord Sinha then went on to say—'several representations were subsequently submitted to Government from private individuals, as well as from representative Associations, and various proposals

were suggested for the consideration of Government with a view to the amendment of the Calcutta Municipal Act, 1899. The Government of Lord Carmichael realized that there was a widespread feeling in favour of amending the Act, and in particular of an alteration in the constitution of the Corporation. The various proposals and suggestions which had been put forward were considered and examined, and a Resolution was published in 1913, inviting the views of the Calcutta Corporation and the general public on the main alterations suggested in the law, which related principally to the constitution of the Corporation and the administrative machinery employed. After consideration of the views expressed the Bill now under discussion was prepared by Lord Carmichael's Government and eventually introduced as I have already mentioned in March 1917.

The main features of this Bill are—

(*i*) the increase of the number of Commissioners ;

(*ii*) the election of Muhammadan representatives by separate District Electorates of their own, precluding them at the same time from taking part in the General or Ward elections ;

(*iii*) the abolition of plural voting ;

(*iv*) the appointment of a Commissioner by the Government as the head of the executive and the election of a Chairman by the Corporation to preside at its meetings and the abolition of the General Committee and the creation of a General Appeals Committee and a Buildings Appeals Committee.

These changes were primarily proposed to meet popular demands and at the same time to give the Corporation a more liberal constitution than under the present law of 1899. To take the case of Muhammadan representation, public opinion was invited on the subject and as stated by Lord Sinha 'in spite of the unanimous opposition of the Hindu associations the consensus of opinion, including that of the Corporation, was in favour of securing adequate representation to this important community by a separate communal electorate'. The proposal for the abolition of plural voting was designed to make the constitution of the Corporation more democratic whilst in introducing the Bombay system of vesting all executive authority in a Municipal Commissioner appointed by Government, we were following the recommendations of the Royal Commission upon Decentralization. As regards the fifth of the important constitutional changes proposed there was a strong body of opinion, including that of the Corporation itself, in favour of the abolition of the General Committee and the transfer of its powers partly to the Corporation and partly to the Municipal Commissioner.

When Your Excellency's Government came into office in 1917, they succeeded to this Bill as a legacy from Lord Carmichael's Government, and it was decided to introduce it, though it was recognized that it would be introduced at a time when the general principles of the development in India of Local Self-Government were about to be further examined and that new and more liberal principles might be enunciated and that there might be a change in the public attitude towards the provisions contained in the Bill. The Government of Bengal realized then, as they do now, the necessity for carrying public opinion with them in a measure of this kind and were fully alive to the fact that their policy would have to be determined by the reception it met. The Bill was accordingly introduced as a medium of ascertaining what form of City Government the public of Bengal in general and the Corporation of Calcutta in particular wished to have. It was on this account that in addressing the Council on 4th April, 1918, Your Excellency remarked that when the views of the Corporation and other public bodies on the Bill had been submitted they would receive careful and earnest attention from Government, and Your Excellency at the same time gave voice to the hope

that the expression of their views would not be unduly delayed though there was no desire on the part of Government to curtail the time necessary for a full considered opinion.

Well, the Corporation have had ample time to consider the provisions of the Bill, although I am much afraid that some of its members would probably have liked to have had more time for the purpose, but which the Government did not feel justified in granting as already two full years had elapsed since the introduction of the measure by Lord Sinha in 1917. However, in March last they submitted their opinion on the provisions relating to the constitution and government of the City, and from their views one thing is certain, viz., that they do not want the organization embodied in the Bill. The Corporation, of course, like other people are free to change their minds and in the present instance they have certainly done so effectually. In fact, in certain aspects there has been an entire transformation of their ideas, for they now protest against some of the changes they themselves formerly asked for, largely it seems because of the conflict between certain features of the Bill and some of the principles laid down in the Resolution on Local Self-Government issued by the Government of India in May, 1918, nearly six months after the Bill was introduced.

The Corporation have now made a number of proposals which are in entire opposition to the system incorporated in the Bill. To give an instance, the Bill provides for nominations of Commissioners by various public bodies, whereas the Corporation recommend that this method of representation by special electorates should be entirely done away with. Their recommendation is certainly consonant with the view put forward in the Report of the Viceroy and the Secretary of State on Indian constitutional reforms that the number of special electorates should be as restricted as possible, and that minority interests should, wherever necessary, be represented not by class or interest electorates, but by nomination. The Corporation then again in another direction are so far democratic that they wish to lower the qualifications for franchise and to introduce female suffrage, thus going beyond the scope of the Bill; on the other hand, however, they are opposed to the democratic innovation which we introduce in the Bill, viz., the abolition of plural voting. Again, they are of opinion that no separate Muhammadan electorate is necessary. In this matter, of course, their views are in accordance with those expressed in the Resolution of the Government of India in May, 1918, on Local Self-Government which states that special representation of minorities, where necessary, should preferably be effected by the system of nomination rather than by introducing some system of communal electorates. Lastly, the Corporation have proposed that they should have power to appoint and remove the Municipal Commissioner and Deputy Commissioner subject to the approval of Government. Here, again, they follow the view of the Government of India who have laid down in their Resolution that the executive head may be nominated by the Municipal Board but his appointment should be approved by Government and he should not be removed without the sanction of Government unless by the vote of a substantial majority of the Board.

Turning to the other views that have been expressed by different public bodies, some of which are more or less of an adverse character, we find, for instance, the Indian Association object to many of the provisions of the Bill relating to constitution. They urge—

(1) that the Corporation should be the sole supreme authority delegating its powers to the Municipal Commissioner and to different committees;

(2) the Municipal Commissioner should be elected by the Corporation subject to the veto of Government, and the Corporation should have the sole power of appointing the Deputy Commissioner;

(3) the elected element on the Corporation should be increased;

The Maharajadhiraja Bahadur of Burdwan.

(4) that there should be no separate Muhammadan electorate ; an

(5) the provisions for franchise are old and out of date and th franchise should be broadened.

The Anglo-Indian Association would like—

(1) that the Corporation should be recognized as the suprem authority with power to appoint committees, there being n co-ordinate authorities ;

(2) that the control of Government should be external ; and

(3) that there should be female suffrage.

Coming to Muhammadan sentiment, we find the Bengal Presidency Moslem League regard the Bill as unsatisfactory and retrograde, because according to them the Corporation should have the supreme controlling authority and also they do not consider that the Muhammadans have been given sufficient representation. The Central National Muhammadan Association, whilst also asking for more Muhammadan representation, wish the qualifications for franchise to be lowered. The Calcutta Trades' Association seem to think that the Bill is abortive in consequence of impending constitutional changes. They understand, they say, that it is now likely, owing to the change in the political atmosphere of India, that much more extensive proposals will be forthcoming for the liberalizing of the constitution ; and while, therefore, they evidently do not favour our proceeding with the proposed new Bill, they have suggested dividing the Bill into two parts, and going ahead at the earliest possible opportunity with such sections that deal with practical City Government after necessary revision. It is curious, though at the same time not uninteresting, to find two of the most prominent European Associations in Calcutta advocating our not proceeding with the Bill in view of the pending reforms. I have already quoted what the Calcutta Trades' Association have said and as it might interest the members of this Council, I may point out that so far back as May 1918, the Bengal Chamber of Commerce, in their reply to the Government, advocated the same thing. My Lord, I have already, I am afraid, trespassed on the time of this Council and I shall, therefore, now briefly state why it is that the Government propose to withdraw the Bill. It must be evident to members of this Council from the view received by the Government from the different bodies, particularly the Calcutta Corporation itself, that the Bill introduced in 1917, instead of having received a warm welcome, has had, in certain respects, at any rate, a somewhat chilly and hostile reception. Government are more anxious now than ever of popularizing Local Self-Government in the country and in view, therefore, of the coming reforms as well as, of course, of the fact that Government have no desire to force on an unwilling Corporation a constitution which it does not consider popular, they have consequently decided to move for the withdrawal of the Bill. Although, however, Government propose to withdraw this Bill, they hope to be able to introduce before very long fresh legislation for certain practical administrative reforms of which the necessity had long been felt. The Bill as introduced, as I have already pointed out, provided for enlarging the constitution of the Corporation and for a more equitable representation of all sections of the community. It was also intended at the same time to overcome practical difficulties which have been experienced as the result of the working of the Act since 1899. The Corporation have submitted a representation that there are certain urgent and non-controversial matters of an administrative character in regard to which immediate legislation is necessary, such as the improvement of the milk-supply, the licensing of theatres and the revision of the existing law regarding food adulteration.

Government, therefore, whilst deciding to withdraw the present Bill, agree that grave inconvenience will be caused if legislation for administrative reforms of this character is deferred, and it is, therefore, proposed to introduce as soon as possible an amending Bill dealing solely with administrative reforms which lie outside the field of political controversy.

My Lord, I now beg to move that the Calcutta Municipal Bill, 1917, be withdrawn."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, permit me to congratulate the Government on its decision to withdraw the Calcutta Municipal Bill. The Bill has been introduced in 1917, some years after the breaking up of the war. The Bill might have studied the temper of the people and the atmosphere of 1912-13, but from the time when instructions to draft the Bill were issued, the political atmosphere (as the Hon'ble Maharajadhiraja Bahadur has said) has changed. It has rapidly changed and the Bill as it was introduced was an anachronism, and, it would be an advantage for the Government, having now received the opinions of the several bodies interested in the efficient working of the Municipality, that they should withdraw the Bill and frame a new Bill on the lines of public opinion of the present time, and the views which the Government of the present day might entertain on it, because I am sure the opinion of Government also changes with the change of time and that what they considered wise and good some 5 years ago may not be so now. Then, my Lord, something has been said about the changing attitude of the Corporation of Calcutta. I plead guilty to that, my Lord. We are bound to change our attitude with the progress of time and it is no credit to a person or to a public body if they cannot change—change which may be due to the change in the political atmosphere or as a result of public criticism. If something be found better, there is no reason why we should not change our present view and adopt a new one. For instance, the question of female suffrage which has been referred to by the Hon'ble Member. It will be found that certain provinces in British India have gone ahead of us, and have given votes to female owners and occupiers of property. Bombay has been satisfied with such a thing since the year 1888. By Bombay I do not mean the city of Bombay alone but also the mufassal districts where they have given votes to females. There are female electors without causing any inconvenience. This is also the case in the United Provinces where, I believe, female suffrage was given some 10 or 15 years ago. There is something of this kind in the Punjab also, so that female suffrage, as suggested by the Calcutta Corporation for introduction, is not an experiment and is not a thing which ought not to have been put forward by such a sedate body as the Calcutta Corporation. As I said, my Lord, I am glad that the measure is being withdrawn and that the materials now before the Council will form the foundation of a new and better measure."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, when I entered the Council Chamber I had no idea of speaking on this motion ; and I did not anticipate such a lucid speech from the Hon'ble Member in charge. But I am glad that he has dealt with the whole history of the Calcutta Municipality. I think, my Lord, I may say that I do not agree with my hon'ble friend to the left (Rai Debender Chunder Ghose Bahadur) that the Bill should not have been introduced at all in the year 1917. I am glad that it was introduced and that the public had an opportunity of seeing what the Government proposed to do in

connection with the Calcutta Municipality and what reforms and changes the Government proposed to introduce. I am glad that this introduction afforded an opportunity not only to the Corporation but also to the public generally to express their views on the subject.

The Hon'ble Maharajadhiraja Bahadur of Burdwan has dwelt on the delay on the part of the Corporation in submitting their opinion on this Bill. Well, my Lord, it is the old old cry that the Corporation is an arsenal of delays. May I not retort and ask, how many years the Government of Bengal took in incubating this measure? If I go back to the history of this measure, I may say that in 1913 the main proposals relating to the constitution were formulated and a special officer was deputed to draft the Bill. If with all the resources at their disposal Government took no less than four years to deal with a measure of such magnitude, I think the Corporation and the public bodies have not taken an unduly long time over this measure which is a big volume containing nearly 600 sections with a number of schedules.

Then, my Lord, the first instalment of the opinion of the Corporation was submitted some time in March last. This related to the constitution, and the subject naturally took a great deal of time. The Corporation is a heterogenous body, consisting of Europeans and Indians, Hindus and Muhammadans, Parsis and Jews, and we had to harmonize the views of the different sections of the community. I think that the Corporation, instead of being accused of delay, ought to be congratulated on being able to submit their views on the constitutional portions, which are endorsed by all sections of the community, European and Indian.

My Lord, the Corporation have been charged—and I take the charge in a light-hearted way—with changing their views. The main point is whether the Corporation should be the supreme authority, as was the case long before the Indian Constitutional Reforms were even dreamed of by Mr. Montagu; I believe he was then in his cradle. In 1863, the Government of Sir Cecil Beadon created the Corporation, and made it the supreme authority. There were no co-ordinate authorities, nor was the executive free from the control of the Corporation. Then, in 1876, the elective system was partially introduced in Sir Richard Temple's time, and in Sir Stuart Bayley's time in 1888 the suburbs were amalgamated with Calcutta. Ten years later, unluckily for us at an evil moment—I think in a fit of anger—everything was smashed, and in 1899 an Act was passed, pulling the Corporation down from the position it had occupied since 1863. I think it is clear from the proceedings of the Corporation that we—the representatives of rate-payers—wanted at least the restoration of the constitution which Calcutta had enjoyed since 1863. Fortunately or unfortunately, I am glad that the Bill revealed to the general public what Government intended to do. The Bill proposed to keep the Corporation as an ornamental body with some increase in the number of members and we were to be content with some additional chairs in the Corporation Council Chamber. That, my Lord, was a position which we were not prepared to accept, especially in view of the fact that high hopes were engendered in our minds after the publication of the celebrated Report on Constitutional Reforms by His Excellency the Viceroy and the Right Hon'ble the Secretary of State for India.

My Lord, the first Calcutta Municipal Act creating the Corporation was passed in 1863 and after a lapse of 12 or 13 years it was amended in 1876; it was again amended in 1888 and finally in 1899 a retrograde measure was passed, doing away with the Corporation as a supreme authority in Municipal affairs. In 1917 we were pressed with this disappointing Bill, although we had always been promised in very sweet and comforting expressions by successive Viceroys and Governors that the Act would be amended and that there would be something like real local self-government as you have in your own country. We came to the Throne Room of Government House and

presented addresses; and we had hopes held out but nothing tangible has yet been done to fulfil those hopes. I may also submit that not only the Corporation but generally all the public bodies, including the Anglo-Indian Association, the Calcutta Trades' Association, the Bengal Chamber of Commerce, the Muhammadan Association and other Indian Associations and even the non-official European Commissioners think that the time has changed and that the constitution of the Corporation should be liberalized. That shows, my Lord, the volume of public opinion and the depth of public feeling in the country, and I hope that now that the Bill is to be withdrawn effect will be given to the popular wishes in this matter. If in this small matter of City Government we are not to have genuine self-government, what is the use of giving us hopes of enlarged powers in the Provincial Councils or in the Government of India? If we are not to be trusted after 150 years of British rule to manage our own local affairs, and we are to be always in the leading strings of the executive head of the Corporation, far better that there should be no reform than a reform in which we shall be rewarded only with some additional chairs in the Corporation Council Chamber.

As regards the change of views of the Corporation, I may say a word or two before I sit down. I do not think that there has been any material change, but having regard to the publication of the report on the Indian constitutional reforms, the Corporation thought that as regards European representation, it should be secured through earmarking a certain number of seats for Europeans in some Wards instead of through election by close association. As regards Moslem representation it took a little time to harmonize the views of Hindus and Muhammadans on the subject and the opinion arrived at is the considered view of the Corporation. As regards female suffrage for which my gallant friend the Hon'ble Rai Dehender Chunder Ghose Bahadur fought hard in the Corporation, we accepted it by a majority. These are some of the details. There has been no change of opinion or attitude in regard to the main thing, viz., that the Corporation should be the supreme authority in Municipal affairs, and we implore the Government that in the matter of Municipal administration the Corporation should be the supreme authority."

The motion was put and agreed to.

LIST OF BUSINESS—ITEMS Nos. 4 and 5.

THE BENGAL FOOD ADULTERATION BILL, 1919.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan moved that the Report of the Select Committee on the Bengal Food Adulteration Bill, 1919, be taken into consideration.

The motion was put and agreed to.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan moved that the clauses of the Bill be considered for settlement in the form recommended by the Select Committee.

The motion was put and agreed to.

Rai M. C. Mitra Bahadur; the Maharajadhiraja Bahadur of Burdwan.

LIST OF BUSINESS—ITEM No. 5.

THE BENGAL FOOD ADULTERATION BILL, 1919.

AMENDMENT No. 1 (APPENDIX TO THE LIST OF BUSINESS).

Preamble.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that the following be substituted for the title and preamble, namely :—

"A

BILL

to make provision for the sale of food in Bengal in a pure and genuine condition.

WHEREAS it is expedient to make provision for the sale of food in Bengal in a pure and genuine condition and for the prevention of adulteration thereof ; "

He said :—

"My Lord, in making this amendment I beg to submit that the amendment suggested is based on the idea that the object of the Bill is to make provision for *the sale of food in Bengal in a pure and genuine condition.* The preamble ought to include such a language as referred to just now. The perusal of the several clauses of the Bill may justify me to make this suggestion. Reading 38 and 39 Vic. C. 63 upon which the Bill has been drafted, I am fortified to make this amendment as to the title and preamble. The title of the English Act runs thus :—'An Act to repeal the adulteration of food and drugs and to make better provision for the sale of food and drugs in a pure state whereas it is desirable that the Acts now in force relating to the adulteration of food should be repealed and that the law regarding the *sale of food, etc., in a pure and genuine condition* is to be amended'. I notice that the preamble in the Bill simply states for the prevention of adulteration of food in Bengal. The title and the preamble of the Act ought to be clear and exhaustive."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I am sorry I am unable to accept this amendment. In opposing this amendment I am aware that the more recent English Act designed to prevent the adulteration of food and drugs bears the title of Sale of Food and Drugs Act. But the Sanitary Commissioner's note upon this point which is contained in the collection of opinions had some force in regard to the original title circulated to the Hon'ble Members and adopted by Government in this Bill, namely, the Prevention of Adulteration Bill. As the matter does not deal with adulteration generally but merely with the adulteration of food, while adulteration is actually practised in many other commodities, the Select Committee realized that some change in the title was necessary and the Bill now bears the title of the Bengal Food Adulteration Bill. This title is in my opinion adequate and it covers measures to secure both the sale and manufacture of pure food. I do not think that the amendment of the Hon'ble Rai Mahendra Chandra Mitra Bahadur would be an improvement. As both the title and preamble seem to me to be suitable and sufficiently expressive, I would request the Council to reject the proposed amendment."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, it is not necessary for me to add anything more. I have sufficiently explained my views to the Council."

The motion was then put and lost.

AMENDMENT No. 2.

Clause 1.

The Hon'ble Rai Radha Charan Pal Bahadur was to have moved that for the words "Bengal Food Adulteration Act" in lines 1 and 2 of sub-clause (*1*) of clause 1, the words "Bengal Pure Food Act" be substituted.

The President said :—

"The amendment standing in the name of the Hon'ble Rai Radha Charan Pal Bahadur is consequential on the first amendment and therefore falls."

The amendment was then deemed to be withdrawn.

AMENDMENT No. 3.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that in sub-clause (*2*) of clause 1, the following be omitted, namely :—

"(*1*) in lines 2 and 3, the words, brackets and figures 'except Calcutta as defined in clause (*7*) of section 3 of the Calcutta Municipal Act, 1899,' and

(*2*) in line 7, the words 'outside Calcutta'."

He said :—

"My Lord, the proposed amendment suggests to the Council that the Act should be extended to Calcutta. Whoever has carefully read the clauses of the Bill cannot express his debt of gratitude to the hon'ble mover of the Bill and the Select Committee. The provisions of the English Acts from 1875 to 1907, specially the sale of Food and Drugs Acts of 1875, 1879, of 1899, the Butter and Margarine Act of 1907, have been made applicable to Bengal as far as they may be possible. The Bill is not exhaustive and is capable of further amendments and improvements. The intricacies of the English law have been carefully avoided and the clauses exhibit care and attention paid to bring home at present cases so far as Bengal is concerned. Clauses 5, 6 and 8 are elastic. The warranty sections, so familiar to English lawyers, may be made applicable to these clauses. My Lord, I regret to note that this Bill has been declared not to be applicable to Calcutta, notwithstanding the valuable opinion of the Marwari Association, Calcutta, to the effect that various articles of food of common consumption, such as *ghee*, oil, *atta*, etc., are imported into the interior of the Presidency of Bengal from Calcutta. Having regard to some of the provisions of the Bill the Association are of opinion that the clause should be so altered as to make the law applicable to Calcutta also in order to check, as far as possible, the sale in the mufassal of adulterated articles imported from Calcutta. It is submitted that the field of the operation of the Bill should not be in the mufassal only, but in Calcutta also, the centre of trade and commerce. If the provisions of the Bill are administered with care in Calcutta, there may be a salutary check on the sale of adulterated food in the Province. Sections 495 and 496 of the Calcutta Municipal Act (Ben. Act III of 1899) now in force, in Chapter XXXV, are, in my opinion, not exhaustive and therefore powerless to prevent adulteration. In the new Bill which has been withdrawn the improvements suggested in Chapter XXIX will therefore be of no practical utility to the public.

The Maharajadhiraja Bahadur of Burdwan; Rai R. C. Pal Bahadur.

Only the Ghee Act has been passed by Your Excellency's Council for Calcutta, but I regret to note that nothing has been done as yet for the prevention of the sale of milk, mustard oil, etc., in adulterated condition by a very large number of vendors in markets of Calcutta excepting in a few markets belonging to the Calcutta Corporation. Had the sections of the Calcutta Municipal Act now in force been powerful enough to enforce the sale of milk, mustard oil, etc., in a pure and genuine condition only, the vendors in Calcutta markets referred to above would not have ventured to sell them in an adulterated condition and could not exhibit signboards and placards to the effect that they sell adulterated articles."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, it was a little bit surprising to me when I moved for the withdrawal of the Calcutta Municipal Bill that the two gallant gentlemen who defended the opinion of the Corporation did not at all welcome my proposal except by their silence to take up urgent legislation in connection with better milk-supply and of further and more adequate control against the adulteration of food. Therefore, it is perhaps in one sense very pleasant to hear the Hon'ble Rai Mahendra Chandra Mitra Bahadur suggesting that this Act should apply to Calcutta as well as to the mufassal. My Lord, I quite agree that some measure to prevent the sale and manufacture of adulterated food in Calcutta is even more urgently required than in the mufassal, and if Government were proposing to leave Calcutta alone, the hon'ble mover of this amendent would be justified in complaining against the distinction which the legislature would be setting up by excluding Calcutta in this manner. But if the Hon'ble Member who has moved this amendment heard me correctly, I am sure he must have realized that it is proposed at a very early date to lay before this Council a short amending Bill which would provide for certain urgent amendments for Calcutta. A draft of that Bill, as I have already said, is now under preparation and I may inform the Hon'ble Member that it contains adequate provisions for the prevention of food adulteration in Calcutta. As I have pointed out it is more convenient to have the Municipal law contained within the four corners of one Act, and a further reason for not accepting the Hon'ble Member's amendment is that the Corporation has not been consulted on this Bill. In view of this, I trust that the Hon'ble Mover will see his way to withdraw it. I regret that I am unable to accept it."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, although this matter was not referred to the Corporation it was discussed in one of our committees and the Hon'ble Maharajadhiraja Bahadur of Burdwan is quite right in saying that the Calcutta Municipal Bill contained certain provisions—I may say additional provisions—which would adequately check this evil in Calcutta. They therefore felt no necessity for pressing for an extension of this Act to Calcutta. I believe everyone is anxious that there should be adequate check over the sale of adulterated foodstuffs in Calcutta as well. and I am sure that when the Act is amended and when the emergency legislation foreshadowed in the speech of the Hon'ble Maharajadhiraja Bahadur and requested by the Corporation is passed, there will be no difficulty in coping with the evil in Calcutta.

With reference to the Hon'ble Maharajadhiraja Bahadur's observation that the two gallant gentlemen (meaning my honourable colleague Rai Bahadur Debender Chunder Ghose and myself) did not thank Government for acceding to the request of the Corporation to take up an emergency legislation for the better control of food and drugs in Calcutta and in connection with certain other matters I did not know that Government were in need of compliments. We were talking about the constitution of the Corporation,

d the question of emergency legislation did not arise. However, I shall ar it in mind and will never let an opportunity pass of paying a compliment Government for any little act of kindness and justice or for doing eir duty, at least so long as the Hon'ble Member occupies an honoured ıce in the counsels of Government."

e Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have already submitted my views in connection with the ıendment. To my mind it appears that the Act as it is ought to be exhaus-e and applicable to the whole Province inclusive of Calcutta. When the ıee Act was passed there was a saving clause that notification may be made th regard to its operation in the mufassal. But, my Lord, that Act is plicable, as far as I understand and as far as my information goes, only to lcutta. If there be one Act applicable to the mufassal and another to lcutta there may be some difficulty. I always thought it necessary that in ses like this, where adulterated food is the subject matter of consideration, ere ought to be one Act applicable to the whole Province. Why do I say at? Because, in the mufassal where food is adulterated, the practice may checked if the whole thing is brought under the control of one and the me authority. That is the view, my lord, which persuaded me to come to Council and ask for the consideration of your Excellency's Council whether s Bill ought to have its operation in Calcutta or not. The Hon'ble ıharajadhiraja Bahadur of Burdwan has told me that there will be emergency Bill, but it is not known as yet what the Bill will contain, but all the difficulties which I have submitted to the Council are obviated der the provisions of the emergency Bill I have nothing more to say and ind that the representative of the Calcutta Corporation also agrees with the ews of the Hon'ble Maharajadhiraja Bahadur of Burdwan. I think I had tter withdraw this amendment and leave the matter as it now stands."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 4.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that the words ıfter previous publication", in line 4 of sub-clause (*2*) of clause 1, be ıitted.

said :—

"My Lord, I think I should not press for this amendment. On reconsi-ration I see that 'after previous publication' has been rightly introduced the Bill. I, therefore, beg leave to withdraw the motion."

The motion was then by leave of the President withdrawn.

AMENDMENT No. 5.

Clause 2.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that after sub-use (*4*) of clause 2, the following be inserted, namely :—

"(*4a*) 'offence' means anything made punishable by this Act."

said :—

"My Lord, I think 'offence' should be defined. I have not consulted Bengal General Clauses Act very carefully and I do not know whether Act would cover this. In the case of the Village Self-Government Act ence' has to be defined. So I think it should be defined in this Act too."

The Maharajadhiraja Bahadur of Burdwan; Babu K. M. Chaudhuri; Rai R. C. Pal Bahadur; Mr. Goode.

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, the Hon'ble Member's intention is to make the section stronger and more free from any possible legal flaw and I would have welcomed his proposal if it had appeared necessary from this point of view. Government are, however, advised that there is no necessity to define the word 'offence', as the definition in section 3 (*30*) of the General Clauses Act, to which some reference has been made by the Hon'ble Member, will apply. The amendment is unnecessary, and I hope the Hon'ble Member will not press it."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"In view of the fact that it is covered by the General Clauses Act, I do not press it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 6.

Clause 5.

The Hon'ble Rai Radha Charan Pal Bahadur moved that the words "to the prejudice of the purchaser", in lines 2 and 3 of sub-clause (*1*) of clause 5, be omitted.

He said :—

"My Lord, the words 'to the prejudice of the purchaser' will, I think, hamper prosecutions. It is rather difficult to prove and this is the view not only of myself but also of the Collector of Rangpur and some other gentlemen, who have given their opinions on the clause. I do not know whether the attention of the Select Committee was drawn to it, but the report does not show on what ground the suggestion was not accepted. After full consideration I would suggest the deletion of the words 'to the prejudice of the purchaser'."

The Hon'ble Mr. Goode said :—

"My Lord, I quite agree with the Hon'ble Rai Radha Charan Pal Bahadur that it will be necessarily difficult to prove prejudice in the case of a prosecution and that Government will be very well advised to accept the amendment which the Hon'ble Mover has now placed before the Council if such proof is necessary. But as a matter of fact there are several very clear rulings in the English Courts which show that actual prejudice or damage need not be proved in establishing an offence under the section of the English Act which resembles the drafting of the clause which is now before the House. These words also occur in the United Provinces Act of 1912, and Government are advised that it runs no risk in retaining these words within the Bill. I appreciate the desire of the Hon'ble Member to make this Act as effective and free from flaw as possible and we would very gladly accept his amendment if it appeared to be necessary. The Hon'ble Rai Bahadur may admit that there is some force in the precedent that I have urged but at the same time I apprehend he may ask me why, if there is any doubt in the matter, when the English Courts have taken several years to arrive at a clear decision on the meaning of the words in the Act, we should run any risk of similar doubts in the Courts of Bengal. I think, my Lord, that argument would be very well taken; but for one fact, and that is this : that various absurdities will arise if we delete these words from the clause as it now stands. The English Courts

ave expressly ruled on several occasions that these words were inserted in ıe English Act purely with the intention of protecting a tradesman who ılls, for example, a superior article to that which is asked for by the purchaser. ; certainly will be an absurdity if the tradesman who sells a superior article liable on a very technical interpretation of the clause to prosecution. The ngiish Courts, therefore, held that the words were expressly inserted in the nglish Acts to prevent this anomaly arising. In view of these circumstances, ıy Lord, I hope that the Hon'ble Rai Bahadur will withdraw this amendment. Ve must be guided in such matters by our law officers and I think I can onfidently assure him that the difficulty which he apprehends will never rise."

he Hon'ble Rai Radha Charan Pal Bahadur said :—

"I thank the Hon'ble Mr. Goode for his lucid explanation of this point. quite appreciate that this matter has received careful consideration at the ands of Government.

I may say without hesitation that we are deeply grateful to Government or introducing this measure which is a very beneficial piece of legislation. t is free from political controversy as it is not a measure in which we are crambling for power, but it is a measure which is designed in the interests of ublic health. Our suggestions are, however, made merely with the bject of helping the Government as far as it lies within our power to mprove the Bill. In view, however, of the explanation that has been given ıy the Hon'ble Mr. Goode, I beg to withdraw this motion."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 7.

The following amendment being analogous to Amendment No. 6 was leemed to have been withdrawn :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the vords "the prejudice of the", in line 3 of sub-clause (*1*) of clause 5, the word 'any" be substituted.

AMENDMENT No. 8.

New clause 9A.

The Hon'ble Rai Radha Charan Pal Bahadur was to have moved that ıfter clause 9 (now clause 8) the following be inserted, namely :—

"9A. (*1*) No person shall sell, expose for sale, or manufacture or store for sale any article of food which is diseased, unsound, unwholesome or unfit for human consumption or the nature, substance or quality of which has deteriorated through exposure, age, atmospheric action or damage from fire or water, or through any other cause.

Sale of unwholesome food.

(*2*) In any prosecution under this section the Court shall, unless and until the contrary is proved, presume that any article of food found in the possession of a person who is in the habit of keeping articles of food for human consumption has been so manufactured or stored for sale by such person."

The President said :—

"This motion is beyond the scope of the Bill. It is also unnecessary ; and if the Hon'ble Member will look up the Bengal Municipal Act, he will find that a similar section, namely, 250, exists in the Act ; so that this proposal is in any case not necessary. Moreover, in view of the decision of the Council with regard to the preamble of the Bill, it will now be out of order as being beyond the scope of the measure."

The motion was then deemed to have been withdrawn.

AMENDMENT No. 9.

Clause 11.

The Hon'ble Rai Radha Charan Pal Bahadur moved that the following be added to clause 11 (now clause 10), namely :—

"(4) Any purchaser may also require, by tender of the price, the sale to him for the purpose of analysis of such quantity of any food exposed or intended for sale, as is reasonably requisite for analysis, and any person in possession of, or exposing the same for sale, shall be bound to sell such quantity."

He said :—

"My Lord, clause 11 (now clause 10) relates to the compulsory sale by any purchaser of goods for purposes of analysis. My proposition goes a little beyond what is contemplated in this clause. I move that the purchaser may also require, by tender of the price, the sale to him for the purpose of analysis of such quantity of any food exposed or intended for sale, as is reasonably requisite for analysis, and any person in possession of, or exposing the same for sale, shall be bound to sell such quantity.

My object is to enable any private person—and not merely a person duly authorized by the local Government—to purchase articles of food for analysis and to make it clear that the shop-keeper is bound to sell the articles to him. I know that both clauses 10 (now clause 9) and 12 (now clause 11) give authority to any person duly authorized by the local Government or under rules made under this Act to purchase any article for the purpose of analysis, but it is not clearly specified whether a seller shall be bound to sell to a private person for the purpose of analysis. and I want it to be clearly stated in the Bill. This clause is suggested by the Anglo-Indian Association in their opinion on this Bill. I do not know the view of the Hon'ble Member in charge of the Bill with respect to this clause, but I shall be glad to hear him on the subject."

The Hon'ble Mr. Goode said :—

"My Lord, the department thoroughly appreciates the intention of the Hon'ble Member to render the law as effective as possible ; and I think the reason why so few of the amendments which have been before the House appear necessary, is because the Select Committee went into this Bill with very special care and attention.

In regard to the amendment which is now before the House, I think that the Hon'ble Rai Bahadur will admit that it is somewhat superfluous and unnecessary. Clause 12 (now clause 11) of the Bill provides that any person who has purchased any article of food may inform the vendor that he will have an analysis made, and a certain procedure is laid down which he must adopt for that purpose. Now, the intention of the Hon'ble Rai Bahadur's amendment is that any private purchaser should be in a position to demand the compulsory sale of any article of food which he wishes to be analysed. In the first place, I think the amendment, if accepted, would really prove a dead letter. I cannot conceive that any one in Calcutta is going to make it his business to go round to markets and shops in order to expose himself to the odium of demanding samples to be sent to the Health Officer or to the authority who will administer this Act. As the Hon'ble Rai Bahadur knows, food inspection in the Corporation is very difficult to work and I think that no private person is likely to take upon himself the burden, and, I may say, to incur the odium which a Food Inspector must incur in the course of his duties. I think it is sufficient that he should have the powers which clause 12 of the Bill gives him ; and I have little doubt that the Rai Bahadur will on further reflection accept the assurance that his amendment is not really required. I am, therefore, compelled to oppose the amendment ; but I hope the Hon'ble Rai Bahadur will withdraw it."

Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have listened with great attention to the observations of Goode. I want to explain, my Lord, that clause 12 (now clause 11) gives right to any private person or purchaser, when he wishes to have an article od analysed, after the purchase, to declare it to the seller that he is g to have it analysed. He may take a sample and send it to such yst as the Government may appoint. I am giving a concrete instance :— pose a public-spirited gentleman finds that a grocer systematically s adulterated food-stuffs to the public in spite of the Sanitary In- tor or the Food Inspector. He may take a sample. If the purchaser pens to live in the same quarter in which the shop is situated, he have great trouble in getting it the next time, as the grocer may I won't sell you because on the last occasion when I sold you you sent a public analyst and that person cannot compel him to sell the article. efforts of the local authorities, under the present provision, will not supplemented by public-spirited gentlemen who may otherwise be ined to do so. Mr. Goode says that private persons would not care to ertake the trouble, but times are changing, and we are now aspiring for rms in all directions when we should be expected to look to these little gs ourselves.

I think, my Lord, that the public will supplement the efforts of the local norities. In spite, therefore, my Lord, of what has fallen from Mr. Goode, spectfully press my motion for the consideration of this House."

The motion being put, a division was taken with the following result :—

Ayes—13.

Hon'ble Babu Brojendra Kishor Ray Chaudhuri.
„ Mr. Arun Chandra Singha.
„ Rai Radha Charan Pal Bahadur.
„ Sir Frank Carter, KT., C.I.E., C.B.E.
„ Mr. G. A. Bayley.
„ „ H. R. A. Irwin, C.I.E.
„ Maulvi Abul Kasem.
„ „ A. K. Fazl-ul Haq.
„ Babu Bhabendra Chandra Ray.
„ Mr. Altaf Ali.
„ Rai Sri Nath Ray Bahadur.
„ „ Mahendra Chandra Mitra Bahadur.
„ Babu Kishori Mohan Chaudhuri.

Noes—25.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
„ Mr. J. G. Cumming, C.S.I., C.I.E.
„ Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
„ Mr. J. H. Kerr, C.S.I., C.I.E.
„ „ F. C. French, C.S.I.
„ „ J. Lang.
„ „ J. F. Graham.
„ „ C. F. Payne.
„ „ M. C. McAlpin.
„ „ S. W. Goode.
„ „ F. A. A. Cowley.
„ Col. J. K. Close, M.D., I.M.S.
„ Mr. T. O. D. Dunn.
„ „ J. Donald, C.I.E.
„ Khan Bahadur Maulvi Aminul Islam.
„ Sir Rajendra Nath Mukharji, K.C.I.E.
„ „ Nilratan Sarkar, KT.
„ Mr. R. V. Mansell, O.B.E.
„ Raja Hrishikesh Laha, C.I.E.
„ Babu Siv Narayan Mukharji.
„ Kumar Shib Shekhareswar Ray.
„ Sir Deba Prasad Sarbadhikari, KT., C.I.E.
„ Dr. Abdulla-al-Mamun Suhrawardy.
„ Khan Sahib Aman Ali.
„ Babu Surendra Nath Ray.

The President ; Rai R. C. Pal Bahadur ; Rai M. C. Mitra Bahadur.

The following member abstained from voting :—

The Hon'ble Rai Debender Chunder Ghose Bahadur.

The following members were absent :—

The Hon'ble Nawab Bahadur of Murshidabad.
" Mr. W. H. H. Arden-Wood, C.I.E.
" " Aminur Rahman.
" " L. V. N. Meares.
" " Provash Chandra Mitter, C.I.E.
" " W. H. Phelps.
" " M. Ashraf Ali Khan Chaudhuri.
" Babu Akhil Chandra Datta.
" " Mahendra Nath Ray, C.I.E.
" Mr. K. B. Dutt.
" Babu Ambika Charan Mazumdar.

The Ayes being 13 and the Noes 25 the motion was lost.

AMENDMENTS Nos. 10, 11 and 12.

The President said :—

" Items Nos. 10, 11 and 12 are consequential on item No. 8 and are, therefore, out of order ".

The following amendments were then deemed to have been withdrawn:—

Clause 13 (now clause 12).

The Hon'ble Rai Radha Charan Pal Bahadur to move that after the word " adulterated " in line 2 of sub-clause (*2*) of clause 13, the following be inserted, namely :—

" or deteriorated in regard to its quality, nature or substance, or diseased, unwholesome, unsound or unfit for human consumption ".

Clause 14 (now clause 13).

The Hon'ble Rai Radha Charan Pal Bahadur to move that after the word " adulterated ", in line 2 of sub-clause (*2*) of clause 14, the following be inserted, namely :—

" or deteriorated in regard to its quality, nature or substance, or diseased, unwholesome, unsound or unfit for human consumption ".

The Hon'ble Rai Radha Charan Pal Bahadur to move that after the word " adulterated ", in line 2 of sub-clause (*3*) of clause 14, the following be inserted, namely :—

" or deteriorated in regard to its quality, nature or substance, or diseased, unwholesome, unsound or unfit for human consumption ".

AMENDMENT No. 13.

Clause 15 (now clause 14).

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that in line 10 of the proviso to clause 15 (now clause 14) after the words " the said Court ", the following be inserted, namely :—

" and the said report shall be admissible ".

said :—

"My Lord, this amendment is a very small one, and I think that it is essary to add the words as suggested because a question may hereafter ie as to the advisability of such a measure."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, the main principle underlying the whole of this Bill is to give ter food to the people of Bengal, and to make their food more *madhu*, that sweet and wholesome. I am glad that this last amendment should be *dhurena samapayet*. I would like to accept the amendment with some ht modification. What I would like to point out is that it would be better dd the words 'in such courts' as it now appears in the paper provided t the word 'and' which occurs before 'the expense of such analysis' in 10 of the proviso is deleted, and if the Hon'ble Member who has moved s amendment is willing to the deletion of the word 'and' before the words e expense of such analysis' in line 10 of the proviso, then I have no ection to accepting his amendment."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have no objection to the suggestions which have been de."

The motion was then put in the following amended form and eed to :—

That after the words "the said Court," the following be inserted, nely :—

"and the said report shall be admissible in evidence in such Court"; and t the word "and" before the words "the expense" be omitted.

AMENDMENT No. 14.

Clause 21.

The Hon'ble Rai Radha Charan Pal Bahadur was to have moved that er the fifth item in the table in clause 21, the following be inserted, nely :—

ion 9A.	...	Sale, etc., of unwholesome ood.	One hundred rupees	... Five hundred rupees.

The President said :—

"This motion is consequential on amendment No. 8, and is, therefore, out order as being beyond the scope of the Bill."

The amendment was then deemed to have been withdrawn.

LIST OF BUSINESS—ITEMS Nos. 6 AND 7.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of rdwan, moved that the Secretary be directed to renumber the clauses d sub-clauses of the Bill in consecutive order and to make corresponding erations in all cross-references thereto.

The motion was put and agreed to.

Sir Henry Wheeler.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, also moved that the Bill, as settled in Council, be passed.

The motion was put and agreed to.

LIST OF BUSINESS—ITEMS Nos. 8 AND 9.

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1919.

The Hon'ble Sir Henry Wheeler moved for leave to introduce a Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866.

He said :—

"My Lord, the Bill which is already in the hands of Hon'ble Members, and which I now ask permission to introduce, is a short Bill, and I trust that my remarks in explaining its provisions may be brief. It will be observed that the Bill, in its two material clauses, deals with the amendment of two sections of the Calcutta and the Suburban Police Acts ; but as these two sections in their respective Acts are drafted on analogous lines, I will quote in detail only that which is in the Calcutta Police Act.

In clause 2 of the Bill, we propose to amend section 9 of the Calcutta Police Act. Section 9 runs as follows :—

'The Police force shall be under the exclusive direction and control of the Commissioner of Police, who may from time to time, subject to the approbation of the said Lieutenant-Governor, frame such orders and regulations as he shall deem expedient relating to the general government of the force, the places of residence, the classification, rank, distribution and particular service of the several members thereof, their inspection, the description of arms, accoutrements and other necessaries to be furnished to them, and all such other orders and regulations relative to the said Police force as the said Commissioner shall from time to time deem expedient for preventing neglect or abuse and for rendering such force efficient in the discharge of all its duties.'

There are two points in the section to which I would invite special attention. The first is its wide nature, covering, in effect, the whole ordinary administration of the force and the details connected therewith. The second is the use of the somewhat unusual word in modern legislation—'approbation', and this particular amendment in the Bill relates to that word 'approbation'. It is a somewhat unusual word, as I have said, and I have been unable to trace any detailed discussion of it in connection with the Act of 1866 ; it seems to have been a legacy from the original Police Act of 1856, and has, therefore, stood in the section for a long time. But in more modern Acts, as the Council is aware, the distinction in the matter of outside control is usually made between two methods : first, certain things may be permissible subject to previous sanction—it may be of the local Government or of the Government of India—which means that action cannot be taken without the prior sanction of superior authority. Or again, certain things may be permissible subject to the control of the local Government or of the Government of India, as the case may be, which means that the superior authority has a statutory right of supervision and interference, if necessary, with the act of

the subordinate authority, but that the latter need not refer for sanction before taking action. These are the two ordinary expressions employed in Acts now-a-days, and the question is, what exactly does approbation mean? Does it mean subject to the prior sanction, or merely subject to control? Now, as a matter of fact, it has always, for practical purposes, been interpreted hitherto, as subject to the control of the local Government, and in that view the Commissioner of Police, in the vast majority of cases, passes orders under this section relative to the government of the force and the other details mentioned without any prior reference to the local Government. And I submit to the Council that it is necessary that he should do so. He has done so in the past and no evil effects have resulted therefrom. It is essential that he should have this power in order to ensure the maintenance of discipline in a large and populous city like Calcutta, where the force consists of numerous bodies of men congregated together, and where any deterioration of the authority of the Commissioner of Police is likely to have serious and unfortunate consequences. Such deterioration of authority might easily result, were it open to question whether an order of the Commissioner of Police had or had not received the prior sanction of the local Government. In many cases, indeed, it might be difficult, if not impossible, for the Commissioner to obtain the prior sanction of the local Government, for instance, if orders had to be passed in an emergency. For these reasons the proposal of the Bill is to substitute the word 'control' for the word 'approbation', thus regulating what is, in effect, the existing practice.

The second amendment relates to section 10 of the Calcutta Act, which gives power to the Commissioner to suspend or dismiss any member of the force. The difficulty which has arisen in that connection relates to a case which has also brought to the fore the desirability of the amendment of section 9, which I have already explained. It is a case which has recently occupied the attention of the Police Court and the High Court in Calcutta. The facts are briefly these: a charge was laid in one of the police-stations by a private complainant against a certain person, and in connection with that charge a head-constable misconducted himself and was ordered to be prosecuted, as I understand, for extortion. It is usual when charges of a serious nature are brought against a member of the Police force to suspend him, and so this man was suspended. In accordance with standing orders and long-standing practice in the Calcutta Police, a man under suspension is directed to be detained in barracks at the Police head-quarters at Lal Bazar pending the disposal of his case, and in this instance such an order was actually passed by the Deputy Commissioner, and the man was accordingly sent to Lal Bazar. He was then put on his trial on the charge of extortion preferred against him, and the Magistrate passed an order releasing him on bail; but under the disciplinary measures of the Commissioner of Police he was again sent back to Lal Bazar to remain there pending the final disposal of the case. He then complained against the Deputy Commissioner for wrongful confinement. The complaint was dismissed by the Presidency Magistrate. A motion was made to the High Court against that order, when two grounds were urged. The first was that this standing order of the Commissioner of Police was not a legal order, in so far as it had not received the prior approbation of the local Government. That is taking us back to clause 9, with which I have just been dealing, and it emphasises the defect which we now seek to make good. The second point taken was that, even had it been a legal order in this respect, the Commissioner of Police could not have passed it in respect of a man who was under suspension and over whom his disciplinary powers had ceased. In the High Court the Advocate-General stated that he was not prepared to maintain that these technical defects were non-existent, and the case was then sent back for retrial, that is, the complaint against the Deputy Commissioner was sent back for retrial. This naturally drew our attention to the question how it happens, contrary to the procedure under the General Police Act (V of 1861), that the Police authorities have no disciplinary powers over a man under suspension. That used

to be the case in respect of the district police, but attention was drawn to the defect about the year 1895 by two rulings of two different High Courts which maintained that view. It was then considered that it was most undesirable that the position should be as ruled by the Courts, and, as a result, the general Police Act was amended in 1895. I will read the remarks of Sir Anthony MacDonnell on this point, which explain the reasons of the change which was then effected. He said :—

'Another provision connected with the internal discipline of the force is meant to affirm the legal responsibilities of a Police officer while under suspension. Doubts have been entertained whether, by the law as it at present stands, a Police officer, if placed under suspension, is not *ipso facto*, and so long as his suspension lasts, freed from his duty of obedience to his superiors. There can, I think, be no doubt as to its being desirable that a policeman, although under suspension, should remain subject to the obligations of duty and discipline till discharged from the service. A policeman while under suspension cannot well be turned out of barracks, while discipline in barracks must be maintained and insubordination or misconduct punished. It is, therefore, obviously desirable to make it clear that until a Police officer is discharged from the service he shall be subject to all the duties and responsibilities attaching to his position.'

These were the reasons given by Sir Anthony MacDonnell in 1895, and they were accepted by those consulted as eminently reasonable. There was practically no comment regarding them, and the general Police Act was amended on those lines. Apparently by an oversight—it must be remembered that the general Police Act is an Act of the Imperial Council while our Acts are Acts of the local Council—the Calcutta Act was not amended in a similar way, but all these years disciplinary measures have been taken against men under suspension and nobody has ever objected or drawn attention to the point. Now that attention has been drawn to it, however, in the manner which I have indicated, we seek to rectify the defect by inserting in our Calcutta Acts an amendment precisely similar to that which obtains in section 8 of the general Act.

That, Sir, is the Bill. It desires to make two changes which are merely in accordance with long-standing practice, which have worked without harm to anybody and without objection hitherto, but to the underlying defects of which attention has been drawn by a recent ruling of the Calcutta High Court. There is nothing now in the proposal, in so far as it is an embodiment of existing procedure, and, in respect of section 10 of the Calcutta Act, an embodiment of the precedent which has existed in the general Police Act since 1895."

The motion was put and agreed to.

The Hon'ble Sir Henry Wheeler also moved that the said Bill be referred to a Select Committee consisting of the Hon'ble Mr. Kerr, the Hon'ble Mr. French, the Hon'ble Mr. Graham, the Hon'ble Mr. Mansell, the Hon'ble Rai Radha Charan Pal Bahadur, the Hon'ble Dr. Abdulla-al-Mamun Suhrawardy and the mover, with instructions to submit their report in time for its consideration at the August meeting of the Council in Dacca.

He said :—

"My Lord, as regards this motion I would merely add one explanatory remark as to why I am proposing to take up this Bill at Dacca. The reason is that in certain aspects the defects that have been revealed by the recent decision of the High Court are rather serious, and advantage might be taken of them seriously to interfere with the authority of the Commissioner of Police and the discipline of the force. I have indicated in my previous remarks that, in the circumstance of a large city like Calcutta, that is a position which we could not face with equanimity, and in so far as the Bill itself is a very short one, and in so far as it merely seeks to make legal what has actually been done for many years, we have thought it justifiable to propose that the further consideration of the Bill should be taken up at the next meeting of Council."

Rai M. C. Mitra Bahadur.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

" My Lord, one portion of the Bill proposes to substitute the word 'control' for the word 'approbation' in section 9 of Ben. Act IV of 1866 (the Calcutta Police Act) and section 3 of Ben. Act II of 1866 (the Calcutta Suburban Police Act). From the Statement of Objects and Reasons I notice that the author of the Bill states : 'That the meaning of the term approbation has never been judicially determined, but it might be held to require each individual order relating to the discipline of the Police force to be submitted to Government for approval before issue by the Commissioner of Police' and it is suggested that this would be impracticable, neither is it necessary ; and that the term 'control' is the expression ordinarily used in similar circumstances in modern legislation. I venture to submit that the legislation proposed is hardly necessary for various reasons. Since the year 1856, the Indian Legislature thought fit to express its idea on the subject by using the word approbation. In section 8 of Act XIII of 1856 (an Act for regulating the Police of the towns of Calcutta, Madras and Bombay), I notice that the word approbation finds a place. This section lays down that 'the Police force shall be under the exclusive direction and control of the Commissioner of Police, who may, from time to time, subject to the approbation of the Local Government, frame such order and regulations as he shall deem expedient, relative to the general government of the force, the places of residence, the classification, rank, distribution and particular service of the several members thereof ; their inspection, the description of arms, accoutrements and other necessaries to be furnished to them ; and all such other orders and regulations relative to the said Police force as the said Commissioner shall from time to time deem expedient for preventing neglect or abuse and for rendering such force efficient in the discharge of all its duties.' The repealing Act XII of 1873 repealed Act XIII of 1856. The new Calcutta Police Act, IV of 1866 (B.C.) retained the spirit and the language of the old Act and I notice that section 9 of the new Act is a reproduction of section 8 of the Act of 1856. The Bengal Legislature accepted the language of the Supreme Legislature. This Act is in force up to the present moment. The Suburban Police Act also retains the same spirit and language as I find in section 9 of the Calcutta Police Act (*vide* section 3 of Ben. Act II of 1866).

When we turn to Act V of 1861, known as Mufassal Police Act, the same spirit and language are noticed, *vide* section 12 of Act V of 1860. It is an Act of the Indian Legislature ; chronologically it is earlier than the Acts of 1866. The difference in the provisions of the Calcutta Police Act and the Suburban Police and those of Act V of 1861 is that the Inspector-General of Police exercises the powers given in the place of the Commissioner of Police. My submission is that since the last 50 years the Bengal and the Imperial Legislatures have thought fit to retain the spirit and the language on this particular point under discussion. Act VIII of 1895, which was an amendment of the Police Act of 1861, did not modify the provisions of section 8 of Act V of 1861 as suggested in the present Bill. These Acts were subjected to criticism by distinguished lawyers and administrators for obvious reasons. The Police have got large powers and it is for the interest of the people that the orders and rules or regulations should be subject to the approbation or approval or sanction of the Local Government. The interest of the public is thus safeguarded by the Local Government. The judgment of the Commissioner of Police cannot be of a superior kind to that of the Government and the Bill suggests to delete the word approbation and substitute the word 'control.' The Imperial Legislature, Act V of 1861, in dealing with such cognate powers and privileges has retained the word 'approval' in section 12 of the Act. The provisions of Act V of 1861 affect a larger portion of India, whereas the proposed Bill intends to apply its provisions to a smaller section of the community. I have discussed the principles of the Bill from various standpoints. My Lord, the proposed alteration will not be appropriate. I notice that the Bill suggests that the Police force being under the control of the Commissioner of

Police he is to frame rules and orders subject to the control of the Local Government, that means without the previous approval of the Local Government. I think no orders or rules of the Commissioner of Police shall be given effect to without the approval of the Local Government.

Another principle to be considered is whether this alteration is necessary at all. General orders and rules are based upon generalizations. Each concrete case must fall within their purview.

The effect of the change will be that the Police Commissioner may frame rules without the knowledge of the Local Government and give effect to them, though subject to the general control of the Local Government. Under the present law in force the orders and rules will not be legal unless they are scrutinized and approved of by Government. The present law makes it incumbent upon two persons to examine the legality, practicability and desirability of the rules before they are put in force. The Bill suggests merely that the Police Commissioner will have the sole power of enacting rules and the Local Government will have only power to control them. One will feel a difficulty to apprehend how the Local Government will control rules which have been with full authority enacted and already given effect to by the Commissioner of Police. Even if the procedure for approval of the orders and rules be a little dilatory, the Police Commissioner should, by the light of his experience, get them ready beforehand, before any individual occasion arises. To avoid little delay, the framing of effective rules cannot be given to one individual."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

" My Lord, I am extremely sorry that, as at present advised, I feel constrained to oppose this motion. I am in general agreement with what has fallen from the Hon'ble Rai Mahendra Chandra Mitra Bahadur and I therefore propose to be very brief. It seems to me that although the amendments that have been proposed seem to be modest and unassuming enough, they involve changes having a far-reaching effect and it is therefore necessary that the motion which is now before the House should be subjected to some scrutiny.

My Lord, there are ordinarily four stages before any intended piece of legislation is moulded into statute law. There is first of all the stage when it is first introduced into Council and when Government explain generally the reasons why legislation on particular lines is being undertaken. The second stage is as laid down by rule 30 of the Business Rules, which lays down that when a Bill has been introduced it shall together with the Statement of Objects and Reasons be published in the *Calcutta Gazette*. The third stage is what I may call the committee stage, when the Bill is referred for close examination and scrutiny by a Select Committee of the House, and the fourth and the final stage is when the Bill is taken up with proposed amendments for discussion in Council and ultimately passes into law. I submit that of all these four stages the second is by far the most important and for the following reasons. When Government propose legislation of a certain character they explain their reasons when the Bill is introduced and they take the public into confidence by giving out the reasons which have prompted Government to undertake that particular piece of legislation. It may be that the public also are of opinion that legislation of a particular character ought to be undertaken, or it may be that the public are not. It is for this reason that when the Bill is published in the *Calcutta Gazette*, the public are thereby invited to offer criticisms on the principles of the Bill and also to consider whether legislation should be undertaken at all and, if undertaken, whether it should be on the lines proposed by Government. I therefore submit

Maulvi A. K. Fazl-ul-Haq.

that it is the second stage which gives the public an opportunity of criticising the principles of the Bill and this privilege should not be taken away unless it be for very urgent and strong reasons. In this particular case it is all the more necessary because, as I have submitted, although there are only two small clauses to be added to the Act, they confer very large powers on the Commissioner of Police and, secondly, they also take away to a certain extent the right of a Police officer who may, for a period, be under suspension from taking steps with a view to defending himself. Now it may be that after a Bill is published and sufficient cause is shown, legislation would not be undertaken and the proposed Bill might be withdrawn altogether. It is therefore that the second stage is the most important and should never be overlooked. In this particular case the course that is proposed is this: the Bill has been introduced formally only to-day and it is proposed to ignore rule 30 of the Business Rules and to refer the Bill at once to a Select Committee. So far as I have been able to gather from the speech of the Hon'ble Member in charge I have not been able to make out that any case exists for ignoring the provisions of rule 30 of the Business Rules. It has been pointed out by the Hon'ble Mahendra Chandra Mitra Bahadur that these two amendments are proposing changes regarding certain expressions which have been in the Act for more than a century. The first proposal is to substitute the word 'control' for 'approbation.' This seems to be an innovation which I would submit is somewhat without precedence, except it be that it is proposed to confer on the Commissioner of Police much wider powers than he enjoys at present. As has been pointed out the word "approbation' existed in the earlier Act, XIII of 1856, which was the predecessor of the Calcutta Police Act. Section 8 of that Act spoke of approbation of the rules by the Local Government. As has been pointed out also, these very words occurred in the general Police Act of 1861 and it was not thought necessary to amend that Act. There is another matter which I would submit for the consideration of the Council and which has not been touched upon, and it is this. The Bengal Act has been amended no less than eleven times and on no occasion was it considered necessary to undertake legislation on the line that is proposed to-day. Leaving aside the amendments that have been introduced by all-India legislation, we find that the Bengal Act has been amended by the following Acts of the Bengal Council—II of 1867, I of 1869, II of 1876, IV of 1879, II of 1886, I of 1890, II of 1895, III of 1897, VI of 1905, III of 1907 and III of 1910. How is it, if these amendments are so very necessary that it is proposed to ignore the Rules of Business that they really escaped the attention of the administrators for over 53 years? How is it that on these eleven occasions it was not even suggested that legislation on these lines is necessary? I submit therefore that no case has been made out for rushing through the legislation in the manner proposed to-day. Then, my Lord, the Hon'ble Member in charge has remarked that recent judicial proceedings have brought to light the defects in the Calcutta Police Act. I submit it is not a compliment to those who framed the Act nor to the administrators who have administered the Act for a long time. I need not detain the Council very long upon this point because my hon'ble friend has already pointed out that it would be a dangerous innovation to take away the provision that the rules framed by the Commissioner of Police should be subject to the control of the Local Government. As a justification it is said that this has created inconvenience. If serious practical difficulties have not occurred since 1866 when the Calcutta Acts were passed, or 1861 when the India Act was passed, I may hope that nothing serious will happen if legislation is undertaken in the ordinary course. Before I sit down I may cite the opinions of two learned Judges of the Calcutta High Court as cited in 7 C. W. N., page 883, on this point, although I must say that the word 'approbation' has not received any judicial interpretation yet. Their lordships expressed the opinion that rules so framed ought to be published for general information. And I submit that so far as this power of the Commissioner of Police is concerned it affects the public very materially and does not

merely affect the control of the Police force. It is, therefore, necessary that when rules are framed under this power vested in the Commissioner of Police the said rules should be published or at any rate should be subject to the control of the Local Government.

My Lord, one word about the proposal of passing this measure in the Dacca session. I do not know what the feeling of other members on this point may be. But on my part I oppose this suggestion in spite of my advocacy of the claims of the eastern capital of Bengal. It is well known that most non-official members absent themselves from Dacca and Government will have an absolute majority there. Amendments might be proposed only to be defeated and it is certain Government will be able to carry this legislation through in any manner they like. But would it satisfy the public? Is it proper that legislation of such an important character should be undertaken at Dacca knowing, as Your Excellency's Government know very well, that attendance of the non-official members at Dacca has always been meagre. At any rate to satisfy public opinion I would suggest that the Bill should not be referred to a Select Committee now, that it should be published for criticism and that sufficient time may be given for the public to consider the legislation. It may be referred to a Select Committee afterwards and the Bill considered at one of the Calcutta sessions of the Council. I do not suggest that the Bill should not be introduced into the Council at all. But I suggest that all this hurry should be dropped because, I feel, that this hurry might be misinterpreted. With these observations I oppose the motion."

[*The Council here adjourned for lunch.*]

[*The Council reassembled after lunch, at 2-30 p.m.*]

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have only a few observations to make. I find that the motion of the Hon'ble Sir Henry Wheeler for referring this Bill to a Select Committee and also intimating that it will be passed at the Dacca session has been opposed at the outset. There may perhaps be good reasons for amending the Act; but I think the public ought to be given an opportunity to have their say in the matter. I do not think that it will matter much if the passing of the Bill is deferred for a month. It is a fact that the meeting at Dacca is not so fully attended as at Calcutta and I can safely predict that it will not really affect the passing of the Bill whether it is put through its final stage at Dacca in August or at Calcutta in the beginning of September. I think therefore that, having regard to the strong public opinion on the subject that the Bill has not been published, the Government will do well to accede to the public request that it be published and be taken up in its final stage at the meeting of Council to be held in Calcutta in September next."

The Hon'ble Sir Henry Wheeler said :—

"My Lord. I admit that this Bill has to deal with the Police, and therefore it is almost bound to excite suspicion in the minds of some Hon'ble Members; but I had hoped to show by my previous remarks that we were not, in effect, introducing any sweeping changes. The Hon'ble Maulvi Fazl-ul-Haq himself is bound to admit that the changes were seemingly modest, but apparently he sees something lurking behind them, which, he fears, may be far-reaching and detrimental to the public.

Sir Henry Wheeler.

I have endeavoured to make it clear to the Council that what we are trying to place upon a legal basis is no change at all. It is what we have been doing for many years, and that is the answer to the argument of the Hon'ble Rai Mahendra Chandra Mitra Bahadur which was supported by the Hon'ble Maulvi Fazl-ul-Haq, that because the word 'approbation' was in the Act of 1856, therefore, it is evident that there is now no reason to change it. I myself drew the attention of the Council to the fact that this word was in the Act of 1856, but I have tried to explain that we have never interpreted it in the sense in which we are now told that it should have been interpreted, namely, in the sense of requiring the prior sanction of Government to orders passed by the Commissioner of Police relative to the administration and organization of the force. It is because the matter has only recently been brought to the fore that it probably escaped the notice of the legislators, who, according to Maulvi Fazl-ul-Haq, on some 9 or 10 previous occasions amended the Act. Nobody has ever objected to the procedure, which was in force; hence no proposal was made to change it. The position is analogous to the general amendment of the Police Act in 1895 in the matter of disciplinary action over suspended police officers; the power was being exercised until the High Court said that it was illegal. Thereupon, Sir Antony Macdonald explained in the Imperial Council the reasons for taking that power, and it was accepted as reasonable that it should be definitely given by the law, if there was any doubt in the matter. So, the argument that the word 'approbation' was in the Act of 1856 has really no relevancy to the contention which I have placed before the Council, because it is only during the last few weeks that we have been told that the procedure which the Bill embodies, and which in fact we have practically been following for many years, is a procedure which is not warranted by law; and, indeed, if the provisions of this section, as so construed, were actually carried into effect, it would be impossible to administer a police force of the magnitude of the Calcutta Police. In his judgment of yesterday's date, dealing with the charge of wrongful confinement against the Deputy Commissioner to which I have previously alluded, Mr. Swinhoe remarked:—

'Under the provisions of section 9 of the Calcutta Police Act, practically all orders, however trivial they may be, framed by the Commissioner of Police relating to the Police force must first be forwarded for approbation to the local Government before they are valid and binding on the Police force. This procedure must necessarily cause delay and handicap the Commissioner of Police in his actions. It would be simpler, in my opinion, if possible, to provide that all orders passed by the Commissioner of Police under section 9 of the Act shall be valid and binding on the force until they are declared invalid by the local Government'.

I say without hesitation that if that view of Mr. Swinhoe is correct, and if Mr. Clarke, sitting at Lalbazar, has got to get the countersignature of Mr. Kerr from Writers' Buildings before he can take action against a member of the Police force, the whole machinery of the Calcutta Police can be brought to a standstill in 24 hours. So much, Sir, for the historical argument regarding the wording of the ancient Act of 1856.

I would refer further to the statement that has been made that the proposals which we have put forward so seriously affect the public that it is essential that they should be carefully scrutinized. The proposals which have been embodied in this Bill primarily and directly affect the discipline of the Police force, and not the general public. In so far as they indirectly affect the latter, it is in the interest of the general public that a stringent control should be exercised. Under the second clause of the Bill when a police officer is suspended on a heinous charge, he will not be freed from all disciplinary measures; it is right that the public should have that protection, and it will facilitate the maintenance of discipline in the force, which it is to the interest of the public to see at a high level. It is somewhat curious that, differing from the criticisms which are usually

levelled at Government in the matter of their relations towards the police, exception should be taken when we are attempting to introduce a measure which is designed for the protection of the public against possible misconduct on the part of the police.

Another remark that has been incidentally made by the Hon'ble Maulvi Fazl-ul-Haq is that by placing a suspended police officer under disciplinary action we deprive him of the opportunity of taking legal advice and defending himself against any charges that may be brought against him. This is not so. What the man is made to do is to go and live at headquarters, just as in the *mufassal* a member of the general police force will be told to go and stay in the lines, and he is not allowed to leave headquarters without the permission of the officer-in-charge. I had a talk particularly on this point with Mr. Clarke, and he tells me that all reasonable facilities are afforded to a man for consulting his legal advisers.

Another objection which has been taken is that, should we enact these changes which are embodied in clause 2 of the Bill, it would be possible for the Commissioner of Police to pass orders affecting the organization of the force without the knowledge of Government. With regard to this, may I point out that it is just what he has been doing for many years. Now that attention has been drawn to the point, and, if the Bill is passed into law, his orders will be subject to the control of the local Government, I have no doubt that we shall prescribe that copies of orders of a general character, or laying down a general policy, shall be submitted to Government, and they will be scrutinized, whereas, now, under the current interpretation of the section, we never see these orders at all. Far, therefore, from diminishing the supervision now exercised, the Bill will enhance it.

For these reasons, briefly, taken in addition to the arguments which I have already advanced, I do not think that the Bill need give rise to the suspicion with which some Members have sought to surround it; and in the matter of procedure, to which the Hon'ble Maulvi Fazl-ul-Haq has taken exception, I would only remark that the course we have taken is one which is justified by our rules, and, in fact, it does not differ very materially from that which he would have us adopt. After this discussion, the Bill will be published, and its provisions will be made known; if any one wishes to criticise the Bill he will be at liberty to do so, even if there is no formal circulation; the main difference between the full procedure which is ordinarily taken and that which we are now following is that the interval between the introduction of the Bill in Council and its reference to Select Committee and its final consideration in Council is shortened. But, with reference to the shortness of that interval, may I point out that for practical purposes the Bill is one of two clauses and 21 lines, affecting not the public of Bengal but the public of Calcutta, or rather, indeed, not the public of Calcutta but the administration of the Police force. The reasons for our desiring to see this Bill passed into law as early as possible are those which I have already given.

The last point which has been alluded to by the Hon'ble Rai Radha Charan Pal Bahadur and Maulvi Fazl-ul-Haq is that it is improper that we should pass this legislation at Dacca. Now, as a general theory, that is not a view which, I think, the local Government can ever endorse. It has now been the settled practice for some time to hold a Council session at Dacca; and it is a practice which has been adopted, as our predecessors understood, and as we have always understood, in deference to the feelings of many people of Eastern Bengal, among whom may be numbered the constituents of the Hon'ble Maulvi Fazl-ul-Haq. But if we have a Council session at Dacca, it must be a full session, and we cannot accept the theory that it is to be a kind of a day in the country, a sort of a picnic, or call it what you like, at

Maulvi A. K. Fazl-ul-Haq; the President; Rai D. C. Ghose Bahadur; Mr. Irwin.

which Hon'ble Members will have the pleasure of a river trip to Dacca and seeing something different from the surroundings of the Calcutta maidan. It must be a session at which ordinary business can be done; and obviously it must rank as a full session. However, in this particular instance, having regard to the circumstances of the Bill—especially as it affects the Calcutta Police—and having regard to the fact that the interval between the meeting of the Council at Dacca and the September meeting of this Council here is only about a fortnight, I do not press the theoretical point, and if it will soothe the minds of some Hon'ble Members that we should allow a fortnight's extension and take up this Bill here at the meeting of September, as suggested by Rai Radha Charan Pal Bahadur, I have no objection to that small modification. With your permission therefore, Sir, I would substitute the words 'September' for 'August' and 'Calcutta' for 'Dacca'."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I would only wish to say one or two words as regards the Dacca session. I heartily endorse the remarks which Sir Henry Wheeler has made that it ought to be something of a reality and not a sort of a pleasure show. I wish, my lord, that Your Excellency could, under the rules, exercise a power which a mufassal *guru* exercises in pathsalas and compel members to attend. As a matter of fact there ought to be some rules that members failing to attend a certain number of sittings without sufficient cause shall show cause why they should not resign their seats in the Council. Since there is no such disciplinary power, the fact remains that members do not attend and we are at a great disadvantage when we wish to find out what the real trend of public mind is in regard to certain matters. I do not wish to take up the time of the Council by adding to what I have already said, but I adhere to my contention that the ordinary procedure should not be disregarded because it means a delay of a few weeks. I believe the Dacca meeting will take place on the 12th August and the Calcutta session will be towards the first week of September. Thus there will be a delay of only three weeks."

The President said :—

"The Hon'ble Sir Henry Wheeler has offered to meet the Hon'ble Maulvi Fazl-ul-Haq and postpone the consideration of the report of the Select Committee until the meeting of the Council to be held in Calcutta in September next."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"I am sorry, my Lord, that I did not follow the Hon'ble Sir Henry Wheeler's remarks."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"Apropos what the Hon'ble Maulvi Fazl-ul-Haq urged about attaching a penalty for non-attendance at meetings at Dacca, I would suggest that there should be a penalty attached for inattention also." (Laughter.)

The Hon'ble Mr. Irwin said :—

"My Lord, I attended the Dacca meeting two years ago. I found the Dâk Bungalow quite full, and if it had not been for the hospitality of Mr. French, I would have had to put up at the Maidan, as there was no accommodation for members. I think if a session is held at Dacca, we may

look to Government to provide some accommodation for members. I should be glad if Government would arrange for accommodation for non-official members.

The President said :—

"I should be glad to offer the Hon'ble Member hospitality at Dacca.".

The Hon'ble Mr. Irwin said :—

"Thank you, my Lord."

The motion was then put in the following form and agreed to :—

That the said Bill be referred to a Select Committee consisting of the Hon'ble Mr. Kerr, the Hon'ble Mr. French, the Hon'ble Mr. Graham, the Hon'ble Mr. Mansell, the Hon'ble Rai Radha Charan Pal Bahadur, the Hon'ble Dr. Abdulla-al-Mamun Suhrawardy and the mover, with instructions to submit their report in time for its consideration at the September meeting of the Council in Calcutta.

RESOLUTIONS.

(*Under the rules for the discussion of matters of general public interest.*)

LIST OF BUSINESS—ITEMS Nos. 10 AND 11.

The Hon'ble Sir Frank Carter moved the following resolution :—

This Council recommends to the Governor in Council that a commission of inquiry be appointed to consider the whole problem of leprosy in the city of Calcutta, and the legislation required in connection therewith.

He said :—

"My Lord, I intended to have brought forward this resolution in April last, but was prevented from attending the Council meeting.

I find now that the Health Officer has already submitted a note to the Corporation urging the appointment of a commission of inquiry to consider the whole problem of leprosy and the legislation required in connection therewith. This, I may say, only adds considerable force to my resolution and shows the extreme urgency of the matter.

It is quite evident to all who have had anything to do with lepers that the present Government of India Act No. III of 1898, commonly called 'The Leper Act', is not an efficient piece of legislation, that is to say, it does not result in the segregation of those lepers who are a menace to the community and who ought to be compulsorily segregated in leper asylums. This fact is admitted by the medical authorities as well as by those who are more directly concerned in looking after lepers.

The first thing for Government to do therefore is to take such action as may be necessary to have the Leper Act so amended, by the Government of India, that it may be effective. It must then be applied to the particular province and a real effort made to bring it into force.

Sir Frank Carter.

The following is the essential amentment of 'The Leper Act' which it is urged should be made :—

That the definition of a 'leper' section 2, sub-section (*1*), *be made to include not only any person suffering from any variety of leprosy in which the process of ulceration has commenced, but any person in whom any tubercular form of the disease is present.*

It may be thought that my resolution is till-timed seeing that particulars regarding the beggar nuisance in the Presidency have lately been asked for, but reading through these sheets I see very little mention of lepers ; the only report which deals with lepers at all *in extenso* is that of Mr. Sen.

Although it is estimated there are some 200,000 in India, there are probably not more than 1,000 in Calcutta, and it surely is the work of Government as well as the Corporation to see that they are properly cared for.

Leprosy in this city is admittedly on the increase as, according to the Census figures of 1911, there were only 300.

There are two main causes to which this increase can be attributed :—

First, lepers come down to Calcutta because they find themselves treated as outcastes in their own villages, and Calcutta is a safer and easier place for them to live in. They can earn their living by begging far more easily here than they can do it elsewhere.

Another factor which has contributed so largely to the increase of lepers is that they are imported into this city for the purpose of trade. There are Sirdar Lepers who, finding the display of leprous sores is calculated to move the pity of charitable people, bring them to Calcutta and make a living out of what they earn by begging.

Lepers can be divided into four classes :—

(1) There are indigenous lepers who develop the disease without any taint in their ancestors ;

(2) There are children born of leper parents ;

(3) There are lepers who come down to Calcutta because they find it an easier place in which to make a living than their own homes in the country ; and

(4) Lepers who, as I have explained, are actually brought down to Calcutta by Sirdars for the purposes of trade.

As I have said before, no leper can be detained in an asylum when his sores are healed, so that there is nothing to stop the spread of leprosy in this city, and Government have no power to confine lepers in an asylum with the result that many escape. Most of the monthly admissions to the asylums are admission of lepers who have been there before.

It is now generally admitted that leprosy is contagious in its nature and the recognition of this fact has led to the foundation of various segregation camps in all civilised nations of the world where leprosy is apparent.

The segregation of lepers is undoubtedly necessary. The only point which can raise any controversy is the degree of segregation.

Leprosy was rampant in nearly all the countries in Europe in the Middle Ages. Homes were at that time erected in all the large cities of Europe, and it is said there were some 20,000 of these homes. In England there were as many as 112 and in France 2,000. Segregation of the leper stopped the spread of the disease.

Sir Frank Car

The leper problem in this city is a difficult one, but I am quite sure that it can be overcome and at not too great a cost if the Government, the Corporation and the citizens of calcutta would all assist. It is an urgent matter and must not be set aside for two or three years as the Government of India seem to think.

Now, what is provided for the lepers in Calcutta? A leper asylum at Gobra, which will hold at the outside about 150. It is situated outside Calcutta in Entally, and what does it consist of? A one-storied building for Europeans and Anglo-Indians; men on the ground floor and women on the first floor; a staircase in the middle goes up from one of the rooms. Communication between the ground floor and the first floor is easy and the room from which the staircase leads was used as a chapel by the Protestant and Roman Churches. This has been altered during the last two months. For this reason, there were constant disputes arising between the two Churches. The Roman Catholic Priest put up a picture of the Virgin and this offended the English Priest. The chapels should be entirely separate and there should be one for the Roman Catholics and one for the Protestants and not adjoining as at present, and the staircase should be outside. This would give two extra rooms. There is no accommodation for married couples and this is one of the chief reasons why the place is so unpopular.

There is no comfort in the building. The sun pours in in the hot weather, there were no chicks to keep it out. These have lately been provided. The beds are dirty, the sheets covered with stains, the mattresses stuffed with straw are little better, and the rooms are filthy. When I was there the other day the Eurasian female inmates bitterly complained of the mattresses, which were so old and uncomfortable, they could not get a decent rest on them; I examined them and one of the ladies said: 'These are not so bad, you should see mine, that takes the cake'. The attendance on the patients is most inadequate.

The quarters for the Indians are divided into several long and one-storied buildings, separate buildings for the Hindus and Muhammadans. There is a sort of enclosed yard with stalls attached like a place where cows are kept and here the lunatic lepers are housed. There is also a small building for the worst cases who are not expected to live long. This building is a disgrace to Calcutta.

When I was there the other day there were ten men in the very worst stages of leprosy in two small rooms. The beds all crowded together; there is no lavatory accommodation at all; no drainage, nothing.

There is no occupation provided for the lepers; they pass their days brooding over their misfortunes and their hopeless future, and yet they are not, by any means, a discontented lot. They are a wonderfully happy set considering all things.

There should be a Superintendent who would take some interest in the patient and attends to their wants; also a regular qualified doctor. I would suggest a European Superintendent who must be well paid, but he must be interested in the leper problem and above all he must be sympathetic. The only warder that I have seen is an Anglo-Indian who gets the princely sum of Rs. 5 per month.

So much for the asylum which will hold 150, but there are the rest of the lepers who live in the worst slums of the city—Radabazar, Machuabazar and Howrah. They are merely outcastes whom everyone loathes to touch; shunned by every person, they deteriorate step by step. They live on what little they earn, they huddle themselves together in small insanitary rooms and eke out their existence without any ray of hope. Their disease is visited on their unfortunate children who, with timely segregation, might lead useful lives both to themselves and the community.

Sir Frank Carter.

Lately, as there was accommodation in the asylum for more patients, two inspectors, or whatever they like to call themselves, were appointed to seek out the worst cases in the city and take them to the asylum. This frightened the lepers so much that they dispersed to all quarters of the city.

What steps are to be taken to improve the condition of those people and to stamp out leprosy from the city?

In the first place, a large plot of land, say about 500 acres, should be acquired away from Calcutta, preferably in the Hills or, at any rate, where the heat is not so great as it is in Calcutta, as the heat assists the disease. Land too, such as I indicate, would not be anything like as expensive as it is in and around Calcutta. Liberty of movement should be allowed to the lepers in this area and they should be well-housed, fed and properly cared for. Future marriages and intercourse between the sexes should be discouraged and, if possible, prevented and the children should be segregated from their parents. The lepers should be made happy and comfortable in every way so that there would be no reason for them to wish to leave the prescribed area; the whole place should be self-contained; shops and bazars started which could be managed by the lepers themselves. Leper labour should also be utilized in the growing of crops, the upkeep of cows and poultry, the weaving of cloth, etc., and every step should be taken to make them forget as far as possible that they are outcasted. But above all there must be proper superintendence and efficient medical supervision.

If this scheme was carried out then the present leper asylum could become an observation camp and a place where lepers could be collected before being sent to the leper settlement and medically treated.

This, even if Government do sanction the outlay, will take time, and meanwhile what is to be done to minimize the existing evil in Calcutta?

A strict census should be taken of all lepers in Calcutta whether pauper or not and their addresses should be registered. Tact must be used in doing this as lepers easily get frightened, and if they think they are going to be harassed they will, very likely, disperse into different parts of the city. Besides it should be the object of every one to treat those who are afflicted with this terrible disease with the utmost leniency and to show them every consideration for their feelings.

Lepers should be forced under penalty to live within certain specified areas in the city and strict guard should be kept to prevent their escape and mixing with the general public.

There should also be a Committee formed of, say, five members, one of whom should be a qualified medical man who would decide whether a man, woman or child was inflicted with leprosy, in which case a certificate should be granted which would force the leper to live within the specified area. This Committee should also listen to any complaints which may be made. A leper also should have the right of appeal to a Central Board against his detention.

As regards the influx of lepers into Calcutta steps must be taken to prevent this. The giving of alms should be discouraged but money should be provided by Government and the Corporation for their comforts. Precautions should also be taken to prevent lepers travelling by rail and steamer or cart without a special pass. Any leper arriving in Calcutta must be made to notify his arrival to the Committee who will arrange quarters for him. At the same time the Sirdars whose profession it is to import lepers should be dealt with by the law.

These, briefly, are the measures I would suggest to be adopted, and it is because the leper problem in Calcutta is such an urgent one that I ask Government to form a Committee of Inquiry."

Rai M. C. Mitra Bahadur.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved. by way c amendment, that in the Hon'ble Sir Frank Carter's resolution, after the word " city of Calcutta " the words " and other municipal towns in the *mufassal* be inserted.

He said :—

"My object in making this amendment is to make the scope of th commission of inquiry comprehensive and not to limit it to Calcutta only bu to extend it to the municipal towns in the mufassal. First, I shall deal wit the necessity of an inquiry on the subject ; secondly, to legislate further, necessary, on the recommendations of the inquiry to be made. I am informe that the number of lepers is increasing. It is difficult without a proper inquir to supply the accurate figures. Proper care should be taken as regards th treatment and comfort of the lepers, who are obliged to wander in the street in the mufassal, where there are a very few asylums. It is necessary in th interest of the public health that asylums for pauper lepers should be estal lished under the supervision of Government and not to be left to privat charity alone.

In the tropical climate, the number of lepers is very large. Even i Europe, leprosy prevails in Iceland, Norway and Sweden, parts of Russi particularly about Dorpat, Riga and the Caucasus, and in certain provinces c Spain and Portugal. In British India, according to the Report of the Lepros Commission in 1890-91, there are 100,000 lepers. This is surely a lo estimate. In Great Britain the cases are all imported. Leprosy is chron and infectious. It is caused by Bacilles leproe characterized by the presenc of tubercular nodules in the skin and mucous membranes or by changes i the nerves. It will be interesting to narrate how the contagion spread Dr. Osler in his treatise on "*The Principles and Practice of Medicine*" i page 340 says :—'One of the most striking examples of the contagiousness c leprosy is the following : In 1860, a girl who had hitherto lived at Hol tershop, where no leprosy existed, married and went to live at Tarwest wit her mother-in-law, who was a leper. She remained healthy, but her thre children became leprous, as also her younger sister, who came on a visit t Tarwest and slept with the children. The younger sister developed lepros after returning to Holstershop. At the latter place a man fifty-two years ol who married one of the younger children, acquired leprosy ; also a relativ thirty-six years old, a tailor by occupation, who frequented the house, and hi wife, who came from a place where no leprosy existed. The two men las mentioned are at present (1897) inmates of the leper asylum at Dorpa There is certain evidence to show that the disease may spread throug infected clothing, and the high percentage of washermen among lepers i also suggestive.' It is hardly necessary to discuss as to the medical aspec of the question.

Bengal Act V of 1895 was passed by the Bengal Legislative Council in th year of 1895. This Act provided for the segregation of pauper lepers and th control of lepers exercising certain trades. In 1898 the Supreme Legislativ Council provided a similar Act. This Act provided for the segregation an medical treatment of pauper lepers and the control of lepers following certai callings. By Municipal notification No. 228-T.M. of 18th May 1901, unde section 19 of the Act. the Act was declared to be in force in Bengal and Benga Act V of 1895 ceased to have effect. By notification No. 253-Medical of 189 all first class Magistrates have powers to send a leper to any asylum whic has been declared under section 3 of the Act Section 3 of Act III of 189 provides that the Local Government by notification in the official gazette ma appoint any place to be a leper asylum for the purpose of this Act and specif the local areas from which lepers may be sent to such asylum and may in lik manner alter or cancel any such notification.

Sir Henry Wheeler.

Although Act III of 1898 is in operation in Bengal, yet there are no regular leper asylums in all places. In the Burdwan Division there are asylums in the district of Bankura and in Raniganj. These asylums have been set up by the mission to India and to East. The average monthly attendance at Raniganj is 179. At Bankura the number is 154. Government formerly paid Re. 1-8 as capitation grant, but nowadays have increased it to Rs. 4 per head. My information regarding Midnapore, Howrah and Birbhum is not encouraging, although the number of lepers is not insignificant. At Bankura the asylum is known as the Weslyan Mission Leper Asylum. By a notification No. 361-Municipal, dated 25th February 1915, the local area is confined to Bankura district under the provisions of section 3 of Act 3 of 1898. If I properly understand the sections of the Act, the operation of the Act depends upon the establishment of a requisite number of leper asylums for the proper accommodation and treatment of the lepers. My submission therefore is that Government should seriously consider as to the necessity of establishing such asylums in the mufassal for the segregation of pauper lepers.

The decline of leprosy in Europe is attributed mainly to improved hygienic habits and surroundings, and to increased material prosperity, and it may be hoped that the same causes will gradually bring about its disappearance from India.

My Lord, I am deeply interested in the problem for the relief of the lepers and in the interest of public health.

It is suggested that a commission of inquiry should be made. The pauper lepers must not be allowed to move freely from door to door for charity. Exposed under the sun and the rain, they become the objects of pity. Fixed places of their residence should be selected after proper inquiry. Various other suggestions may be made for the further amendment of the law empowering the public to compulsorily remove all lepers and segregate them in the mufassal leper asylums."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, as the Hon'ble Sir Frank Carter said, this is a resolution that has stood over from last cold weather, and we all rejoice that the Hon'ble Mover is well once again after his serious illness, and still more, at the recognition, in the interval, of his many admirable works in the cause of the public of Bengal.

The resolution deals with a subject which necessarily excites the sympathy, and incidentally also the horror and repugnance of us all. Such is the terrible character of the disease of leprosy that we would all willingly do anything to alleviate the sufferings of those who are afflicted with it, and still more we would do anything in our power to save from contamination those—happily the vast majority—who are now unaffected by it. However that may be, my difficulty in accepting the course which the resolution proposes rests briefly on the fact that in this matter we, along with the rest of India, are only following a policy which has been very authoritatively laid down in the past. There may be grounds for saying that that policy requires reconsideration, and to this I shall refer again later, but, as matters stand, it is a policy laid down with as much authority as could have been hoped for, either at that time or any other, and until that policy is modified under equal authority it is very difficult for us to do anything of a sweeping character materially different from what we are at present doing. In order to substantiate that contention I shall refer as briefly as possible to the existing position.

We are governed, as has been mentioned, in this matter by an India Act (III of 1898), and when that Act was passed the Hon'ble Mr. Rivaz who was in charge of it said specifically—"The Bill which is before the Council does not contemplate any action being taken for the control or segregation of lepers generally in this country. It would be extremely difficult to give practical effect to any measures of such wide application nor, in the opinion of the Government of India, are they called for. The present Bill is of a far more moderate scope and restricted character."

Therefore the Bill was designedly drawn upon modest lines, and its two main provisions are those which are meant to prevent lepers engaging in trades or occupations which bring them undesirably into contact with the public, and secondly, to prevent the wanderings of pauper lepers by giving authority for their arrest and for their consignment to asylums under the orders of Magistrates. These are the two main characteristics of the Act, and the Act itself rests, as I have said, on authoritative enquiries which will be found amply described in a Government resolution of the 23rd March, 1895, which I shall be happy to lend to the Hon'ble Member to read. Briefly what happened was that this subject began to attract marked attention so far back as 1888, when it was held that absolute segregation was an impossibility and all that was practicable was to encourage asylums to which lepers voluntarily could go. Later on the idea was mooted of founding colonies to which lepers should go voluntarily, and a Bill was actually drafted in 1889. When it was circulated considerable difference of opinion was disclosed. About that time the whole subject of leprosy was very much before the public owing to the labours of Father Damien, and a large fund was started in London under the auspices of the Prince of Wales for the investigation of leprosy. That led to the Leprosy Commission of 1890-91. On that Commission there were three leading English Doctors and two members of the Indian Medical Service. They made enquiries in India, among other places, and they made pronouncements as to the contagious character of leprosy which are not quite in accordance with the view expressed by Sir Frank Carter to-day. I will not discuss in detail the medical side of the question, but briefly, they did not think that leprosy was of a contagious character, and basing their conclusions on that finding, they distinctly held that the nature of the disease did not justify compulsory segregation. They advocated the adoption of voluntary isolation, together with the subsidiary measures relating to occupations and pauper lepers which were embodied in the Bill. That was their finding: but there was another curious development which adds to the authority attaching to it. The views of the Commission were referred again to two influential committees in England, partly composed of professional men and partly of public men, and I may mention a few names in order to show to the Council the character of the opinion on which action was taken. We find the names of medical men like Sir Dyce Duckworth, Dr. Hutchinson, Sir Andrew Clark, Sir James Paget, and Sir Joseph Fayrer, and of prominent men like Lord Curzon, the Bishop of London and Baron Rothschild. On the administrative side certain of the lay members of these committees dissented to some extent from the recommendations of the Commission, desiring a more active policy in the matter of segregation and founding colonies, but the majority of the medical members stuck to the opinion of their professional confrères, and after reviewing the facts, the Government of India stated in their resolution that they could only be guided by the professional advice which was tendered to them. Therefore, Sir, as I have said, we are governed by very authoritative recommendations, and until we can put up something more weighty than a provincial committee it is very difficult for us to modify [illegible]

f Superintendents of leper asylums in Calcutta and they recommended the amendment of the legal definition of a leper in respect of the ulceration of sores to which Sir Frank Carter has referred. This was supported by the local Government and submitted to the Government of India, but the Government of India said that they were not prepared to go back on the findings of the Leprosy Commission of 1890-91.

That is the position in which we find ourselves, and within it we do what we can. The leper population of Bengal—it is important to remember—is only some 17,000, while the total population of the province is 45 millions. Fortunately, therefore, the proportion is small, and I do not think the evidence points to its growing rapidly, at any rate not in Bengal, although from the last census figures it might be argued that it is not on the decline in India as a whole. To deal with these 17,000 men we have an asylum in Calcutta at Gobra, while there are two other asylums—one at Bankura and the other at Raniganj. In the three of them we treat some 800 patients on an average, in addition to those who find relief at the ordinary hospitals. The action taken by us is very similar to, and somewhat in advance in some ways of, that taken in other provinces. For instance, the Lepers Act is not in force in Madras, the Punjab or the North-West Frontier Province, and it is only in force in limited areas in Bombay, the United Provinces and the Central Provinces. But where asylums are established in these provinces and action is taken, it is somewhat on similar lines to ours, *i.e.*, by assisting private effort. In response to an enquiry that we made after we got notice of this resolution as to whether it was thought that there was need for a radical departure from the existing policy, all these provinces, with the exception of Burma, have replied in the negative. That renders it more difficult for us to take action. But I am quite aware that there is professional opinion in certain quarters—amongst the exponents of which is Sir Leonard Rogers, to whose views much weight is to be attached—which does not accept the findings of the Leprosy Commission from a medical point of view as final. To that extent there may be a case for further enquiry, but I do not think it is any use advocating an enquiry of a purely provincial character. Obviously at the present moment, in particular, it is extremely difficult to find available medical men, and without any disrespect to provincial authorities, an enquiry, limited to Bengal, and made by gentlemen who might help us here, could not in itself carry weight sufficient to induce the Government of India to go against the authorities of 1890-91. If there is any revision of the policy of the Leprosy Act, it must be based on an all-India enquiry, probably supported by the best opinion available at home and by whatever can be ascertained of the advances and experiences of other countries.

Sir Frank Carter has mentioned certain matters in which he particularly would like to see action taken, namely, the alteration of the legal definition of a leper, which as I have said was advocated in 1908; the establishment of leper colonies; the segregation of lepers in defined areas, preventing the influx of lepers to Calcutta; notifying their arrivals when they come, and such like. All these things require an amendment of the law, and the amendment in the law of some of these directions is not likely to be entirely non-controversial. If we once raise issues like the compulsory restraining of a man merely because he is afflicted with a terrible disease, and, it may be, the taking him away from his wife or children, we are apt to excite a considerable amount of difference of opinion, which renders it all the more important that, if anything is to be done, it should be backed by authoritative opinion. On these grounds I would deprecate the appointment of a provincial committee either for Calcutta, or as the Hon'ble Rai Mahendra Chandra Mitra would have it, for the whole of Bengal. But we are perfectly willing to bring this discussion to the notice of the Government of India with a view to their ascertaining more fully the views of

Sir Deba Prasad Sarbadhikari; Sir Henry Wheeler; Sir Frank Carter; Rai R. C. Pal Bahadur.

their disposal, whether the time has not yet come to re-examine this important subject. It is possible that they may do so at a convenient opportunity, but for the moment the time is most inopportune. Recent events, apart from this discussion, have drawn attention to this question of leprosy, and it is quite possible that the Government of India may decide that further investigation is justifiable. Obviously medical opinion and knowledge have advanced greatly since 1891, but I think we must leave it to the Government of India, although we are prepared to bring the question to their notice on these lines."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I quite appreciate the difficulties which are in the way of the acceptance of this motion, and I am sure they will be appreciated by the Hon'ble Sir Frank Carter. In the meantime we expect that the Hon'ble Sir Henry Wheeler will do something to mitigate the evils and abuses of the existing system and that will go to a certain extent to prevent the dissemination of the disease, and to ameliorate the conditions of those who come within the purview of the law so far.

There is another matter in regard to which it may not be difficult to take action and that is preventing lepers to have anything to do with the vending of articles of food. This matter may immediately be attended to including those mentioned by Sir Frank Carter. And some assistance may be given to testing and having indigenous methods of treatment adopted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I would like to mention one matter, as I forgot to do so. With regard to the Hon'ble Sir Frank Carter's references to the asylum at Gobra, I am perfectly willing to have a further inquiry made. I paid a visit to the asylum with Sir Frank Carter at the end of last cold weather, and he drew my attention to some of the points to which he has referred to-day. My recollection is that we did sanction a grant in order to remedy some of the defects, and also that I took up the matter of the moribund ward in particular. However, I will look into the matter again, and see whether anything more can be done."

The Hon'ble Sir Frank Carter said :—

"My Lord, I beg to express my thanks to the Hon'ble Sir Henry Wheeler for the assurance he has given to improve the condition of the leper asylum at Gobra. In view of the Hon'ble Sir Henry Wheeler's sympathetic reply, I ask for Your Excellency's permission to withdraw this resolution."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that the Government do take into consideration the amendment of the Calcutta Improvement Act, 1911, at an early date, with a view to provide, as recommended by the Calcutta Improvement Trust, for the payment of the 15 per cent. statutory allowance in all cases of acquisition of land required for the improvement schemes of the Trust.

He said :—

"My Lord, some of the members of Your Excellency's Council are familiar with the subject and I find in this Council some members of Government who enacted this measure. Amongst them I find the Hon'ble Sir Henry

Rai R. C. Pal Bahadur.

Wheeler who was then a Secretary to the Government. This subject was very keenly discussed at the time when the Calcutta Improvement Bill was under consideration. The proposal to abolish the payment of 15 per cent. statutory allowance in cases of compulsory acquisition of land by the Trust was received with consternation and dismay throughout the city. It evoked the keenest opposition not only inside the Council but also outside it. What was then done is that the clause relating to the payment of a statutory allowance of 15 per cent. was not made applicable in connection with the acquisition by the Improvement Trust within Calcutta. Fifteen per cent. compensation would be payable if the Improvement Trust acquired land, however notoriously unhealthy that area may be, outside the jurisdiction of the Calcutta Corporation, that is, in the Manicktollah or Cossipore-Chitpore municipalities, but in all improvement schemes carried out by the Trust in the city that 15 per cent. which the people had been enjoying for the last 50 years was withdrawn. This evoked the greatest possible opposition in this Council when the measure came up. On reading the reports of the proceedings I find that the Select Committee was equally divided: of the 10 members in the Select Committee 5, including the Hon'ble Mr. Shorrock of the Bengal Chamber of Commerce, were for the retention of the 15 per cent. allowance and 5 for the omission of that provision, but, I believe, that by the casting vote of the President of the Select Committee the motion for the retention of the allowance was lost. Now, my Lord, I think it may be known to Your Excellency's Government that there is widespread discontent in the city on account of the omission of this clause. The Improvement Trust has been in operation for the last seven years, and during the last two years especially its activities have extended towards the northern part of the town and affect a large number of poor middle class people—tenants, occupiers and owners of holdings who are generally poor and live from hand to mouth, and the growing discontent in the city has awakened the sympathy of even the quondam member in charge of the Bill, Mr. Bompas. Mr. Bompas, the Hon'ble Mr. Payne, who voted before for the abolition of this 15 per cent. and other members of the Trust made a recommendation to the Government for the restoration of the 15 per cent. allowance in all cases of acquisition by the Trust. I have got here the report of the Improvement Trust which I have no doubt has reached Your Excellency's Government and I do not think it is necessary to read it at length. I may say this that the Trust have, in their report, very strongly recommended that this 15 per cent. statutory allowance should be granted in all cases of acquisition by the Trust and this report is signed by Mr. Bompas, Mr. Payne, Raja Hrishikesh Laha and other members of the Trust. I may also mention that this question of 15 per cent. statutory allowance was considered by the Commission which was appointed by Government in 1887 and was presided over by Sir Charles Trevelyan to inquire into the sanitary and structural defects of Calcutta, and to suggest what steps should be taken for the improvement of the city. I find that the Commissioners said that they were strongly of opinion that the statutory allowance of 15 per cent. should not be withheld, that is to say, it should be continued in cases of acquisition for the improvement of the city. Then, my Lord, as regards the acquisition by other sister bodies in Calcutta (I mean the Calcutta Corporation, the Calcutta Port Trust, or Government) 15 per cent. statutory allowance is granted; it is not withheld as the ordinary Land Acquisition Act applies to such cases. Russa Road and other roads in the Bhowanipore area are being widened by the Trust. Lansdowne Road runs almost parallel to Russa Road and is being extented by the Corporation who are also carrying out other road improvements. The statutory allowance of 15 per cent. is allowed by the Corporation while the Trust grants nothing for lands acquired almost side by side under their scheme, and the schemes of the Trust and the Corporation are only half a mile or quarter of a mile from each other. Similarly, there is the Russa Road and there are some branch roads, such as Iswar Ganguly Lane, which are being widened by the Trust without the payment of statutory allowance, but side by side is the Kalighat Improvement Scheme carried out by the

Rai R. C. Pal Bahadur.

Corporation where 15 per cent. is being allowed. This, as I have said, is an anomalous position and involves great injustice to the people of Calcutta.

There may be an impression that it would be putting money into the pockets of landlords. My Lord, it is our misfortune to be called landlords. If your Excellency will inquire into the character of the holdings which come within the operations of the Trust, I can with the utmost sense of responsibility and emphasis, assure your Excellency that you will be convinced that nearly 90 per cent. of the property owners are poor middle class people who have got their ancient holdings or residential houses. To an ordinary Englishman the idea is that the landlord is a rich man rolling in wealth, a millionaire who has made money during recent years, or some big zamindar, but here, my Lord, as I have said 90 per cent. of the people who come within the operations of the Improvement Trust are poor people, small traders, many of them clerks in mercantile or Government offices or poor *bhadroloks*. My friend Sir Rajendra Nath Mukherjee will, I am sure, corroborate my statement. These are the generality of people who come under the operations of the Trust, but those who own houses in the big commercial area do not care a farthing for the Improvement Trust because they are in an area where the Trust has no terror for them. I think, my Lord, having regard to the widespead discontent that is prevailing in the city this 15 per cent. statutory allowance should not be withheld. Suppose there is a dwelling-house valued at Rs. 10,000; if that house is acquired by the Trust, the owner of the house, if he is fortunate to secure a suitable house,—which is rarely the case—will have to pay 3 per cent. as stamp duty and Rs 300 as lawyer's charges; the cost for search, conveyance of title, etc., will bring the total to Rs. 600. Then he will have to seek temporary accommodation elsewhere, and for this he will have to pay no less than Rs. 50 or Rs. 60 per month. It will be at least six months before he can expect to get another house, and in many cases it takes more than a year to do so; many people do not get houses at all for a very long time. The amount of rent annually will amount to Rs. 60 × 12 = Rs. 720 and this in addition to other incidental expenses amounts to a total of Rs. 1,320. But what, after all, will this 15 per cent. of Rs. 10,000 amount to—it would be only Rs. 1,500; if the cost of removal and repair and refitting of the house is taken into consideration practically more than this amount goes in meeting these different expenses, and moreover it is a compulsory acquisition. If I want to sell my house to a private person I will sit tight; people will come and negotiate; I will say unless you pay me the amount I ask I will not part with my house, and even if you agree to pay what I want, I must get another house before I can sell it. That is not the case when the Trust acquires my house. A notice comes from the Collector that here is the valuation, take it, and quit the house, otherwise you will be chucked out by force. That is the position of the Indian residents in Calcutta who are British subjects, and I appeal to Your Excellency to inquire into these details and give relief to the poor British Indian subjects who are placed under your care. Now that the Improvement Trust has recommended, and their recommendation is backed by the Chairman, I hope that this 15 per cent. allowance will not be withheld. I pray that legislation at an early date be introduced. I know that there are other matters in connection with the Improvement Trust in regard to which legislation will be taken up. My Lord, the Government wheels move very slowly, but if Government so minds it, they can modify this particular section and can give relief to thousands of people under Your Excellency's care in the twinkling of an eye. Here we have no quarrel, we are not scrambling for power that will have to be referred to Parliament and where there will be great deliberation. This matter has been thoroughly discussed and considered by responsible officers and by the members of the Trust. Therefore, Sir, when such a recommendation has

Rai D. C. Ghose Bahadur.

been made by such a responsible body, and having regard to the deep discontent which is prevailing in the city, I hope Your Excellency will be pleased to do this act of grace, mercy and justice to the people of Calcutta. I do not know what reply I shall receive from the opposite side, but I await it with great trepidation."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I do not propose to take up much of the time of this Council because the salient points as to the necessity for amending the Improvement Trust Act in the matter of the percentage on the market value, which is a feature of the General Acquisition Act of India, have been put forward by my friend Rai Radha Charan Pal Bahadur. But I wish to add my voice in support of his contention, because it is just possible that the Council might think that as I have some personal experience in these matters and being older in age than Rai Radha Charan Pal Bahadur, I should know something of the conditions which operate on the unfortunate owner of a property whose land is compulsorily acquired by the Act. It is said that all that the man whose property is taken is entitled to is the market value of the property and he ought not to complain if he gets a fair price for the property. Now, Sir, those who say this are persons who live a detached life, and living a detached life has its value and advantages. They are generally the members of the Indian Civil Service, and it is no derogation to say of that service that they do not hold any immovable property in the city of Calcutta. Sir John Peter Grant, a former Lieutenant-Governor, as inheritor of his father's estate, held some property in Calcutta, but as a rule the members of the Civil Service do not possess such property here, that being so, they are not in a position to feel what the men whose property is taken away compulsorily do, when he is offered the market value of the property and is told that he ought to be satisfied with that. My Lord, land is being compulsorily acquired in India for a long time, I do not know what the conditions were under the Bengal Regulation of 1824, or the India Act VI of 1857. I have not worked under this Act, but I claim some acquaintance with the operation of the Act as it was passed in 1870 (Act X of 1870) in the Viceroy's Council in which an active part was taken by the then Home Member, Sir John Strachey, and Sir James Stephen, Law Member. It was considered by the Government that under the Act of 1857 the compensation given to the owners was much in excess of the price of these properties, and, therefore, they wanted to lay down certain principles which have been referred to by my friend Rai Radha Charan Pal Bahadur and laid down under sections 22 and 23 of the Land Acquisition Act. The Indian legislature of 1870 lays down that the owner will get the market value, and they define market value in a particular way. They say that in consideration of the great agitation which has been raised at that time against the proposed repeal of that Act of 1857 and that as the agitation is due to a feeling that no justice would be done to the parties from whom the properties will be compulsorily acquired, we will not only pay the market value, but we will follow the example of the English courts. We will adopt the English practice of giving a solatium over and above the price of the property and that solatium in England has always been from a very long time 10 per cent. of the price of the property; that was to console the man whose land was acquired against his will. My Lord, you will see that this provision for paying a 15 per cent. allowance over the market value was not in response to an appeal by those who had agitated against the passing of the Act of 1857. In order to satisfy that there would be no danger in the operation of the proposed Act and that justice would be done, justice which not only concerns in paying the

owner the proper price but in soothing his feeling by paying for his inconvenience and trouble caused by the compulsion and this solatium was fixed at 15 per cent. of the market value. Sir John Strachey, than whom few men who have come out to this country, took a sounder view of the state of things economical or political, and Sir James FitzStephen, who had a European reputation as a jurist before he came out to this country and who after retirement from India became a Judge of one of the Divisions of the High Court in England, considered that the extra payment of 15 per cent. on the market value was a just and proper thing. It was also politically expedient. But it remained for the Bengal Government of 1911 to accede to the suggestion that it would save much money in working out the Improvement Act if you paid people less than what they were entitled to. It comes to that, because, as my friend to my left (Rai Radha Charan Pal Bahadur) has pointed out, it is not sufficient compensation to pay a man whose property may be valued at Rs. 10,000, Rs. 10,000 and ask him to walk out of the house. He has to find a suitable property to invest this sum of Rs. 10,000, and if he was living on the property which was taken away from him he would find it difficult to adjust himself to the new environment and any amount which you pay him as the market value will not satisfy him ; he will remain discontented. I think, Sir, we ought not to legislate in a way which is politically inexpedient and gives rise to discontent. It is unwise to go on in this way. We have a consensus of opinion. Barring the Civil Service whose views are put forward by Government, all merchants, Indian and European, members of the Calcutta Corporation, lawyers and also some propertied men have protested against this taking away of the solatium of 15 per cent. and I think it is not mere conscience which compels them to make this protest. It is most suicidal to go on in this fashion and to create discontent. After all if you have to go by precedent you have here up to the year 1911 been paying this 15 per cent. on the market value of every property, whether in the city or outside, and whether for an improvement or for any other public purpose. People think that Government ought to give this 15 per cent. if their property is taken away compulsorily. As regards the valuation business, I do not know the state of things for the last four or five years but I will refer to things which occurred about the year 1915. The Chairman thought that no Calcutta man should be appointed, and they imported a person from London to value Calcutta properties. He had as much knowledge of the value of Calcutta property as the man in the moon and the members of the Improvement Trust were not permitted to meddle with the work of the valuation and a brick-maker in a well known firm in Calcutta was put in to assist the valuer. That is the way in which the people have been treated in Calcutta, and one thing is clear that the Valuation Department only knew that where a man was entitled to Rs. 30,000, they would give him Rs. 15,000 and if the man has courage to go up to the Improvement Tribunal....."

[At this stage the Hon'ble Member had to conclude his remarks, he having reached the time-limit.]

The Hon'ble Mr. Goode said :—

"My Lord, I am glad to be in a position to meet the Hon'ble Rai Radha Charan Pal Bahadur rather more than half-way in the resolution which he has laid before the Council. The Rai Bahadur in the latter part of his speech laid stress on the urgent importance of Government undertaking legislation at a very early date for the amendment of the Improvement Trust Act, and I am glad to assure him that steps will be taken very speedily in this direction. He has informed the Council that a report was presented some time ago to the Government of Bengal by the Board of Trustees in which they recommended that certain amendments of the Act should be made.

Mr. Goode.

The matter was considered by the local Government and an officer was put on special duty to draft a rough Bill on the lines of the amendments which were forwarded to Government by the Improvement Trust. The other legislation which the Municipal Department had in hand during the last two years has prevented any Bill being laid before this House, but I can assure the Hon'ble Rai Bahadur that Government intend at a very early date to bring the rough draft Bill which has been prepared into a better shape so that it might be laid before the Council. In view of the fact that Government are prepared very soon to undertake legislation, I hope that the Hon'ble Rai Bahadur may be induced to think that it is somewhat inadvisable to urge this House to come to a decision on the insufficient grounds which this discussion has afforded upon matters of principle which must shortly be considered both by the public and by the Corporation of Calcutta and by the Board of Trustees. I hope that on the assurance which I am now authorized to give him that Government will undertake legislation at an early date that he will be induced to think that the immediate decision of principle at this stage is somewhat unnecessary. I am able to go even further. I am authorized to state that the Government of Bengal propose to meet the Hon'ble Rai Bahadur more than half-way even upon the matter of principle and in the Bill which will later on be introduced in this Council, the local Government, subject to a reservation to which I shall refer shortly, propose that this 15 per cent. additional compensation should be awarded in the case of all street schemes, although not in general improvement schemes. The Hon'ble Rai Bahadur is well aware what a considerable concession this involves. I do not know whether he will on the assurance that I have given be prepared to allow this resolution to be dropped, and I am, therefore, compelled, though very briefly, to deal with the actual principle which he has raised and to explain why Government are not prepared to undertake legislation with a view to giving 15 per cent. compensation in every case of acquisition which the Trust may make. In the course of this discussion some reference has been made to the precedent afforded by the Indian Land Acquisition Act, and also to the precedent which exists at Home. I do not want to revive the old controversy which is fresh in the memories of many members of this Council, but I cannot refrain from reminding the Council that as was stated by Mr. Bompas in a previous debate the precedent on which the Calcutta Improvement Trust Act was based is a truer precedent than the one which Hon'ble Rai Bahadur has cited—I mean the Bombay Improvement Trust Act. There you had a recent case of legislation dealing precisely with the same problem which Calcutta presented and as Mr. Bompas in 1911 pointed out the legislature was justified in regarding that that was a real precedent and not the Indian Land Acquisition Act which was quoted by the opposition at that time. Nor do I admit a precedent which the Hon'ble Rai Defender Chunder Ghose Bahadur has drawn from English practice. I am well aware that it has been the practice in the English courts since the enactment of the Land Acquisition Act of 1845 to allow what came to be termed a solatium which, as the Hon'ble Rai Bahadur has pointed out, has crystallized into a 10 per cent. additional allowance. But there has been more recent legislation than 1885, namely, the Housing of the Working Classes Act of 1890 and the Town Planning Act of 1899. Both these Acts and several other Acts which I can cite recognize that in the case of certain public improvements it was unjust that the community should be saddled with this occasional burden although it might rightly be allowed in the case of certain other schemes. In the case of improving or sweeping away insanitary property it was expressly forbidden that the courts should award this solatium. But the English precedent did not stop there. I would bring to the notice of the Hon'ble Members a more recent decision which an English body of some authority has given us on this point. In 1917 an unofficial committee was appointed by the Home Government to consider the whole question of law and practice relating to the acquisition of land for public purposes. It was recognized by the Home Government that after-war problems must involve a certain work of reconstruction and that the elaborate methods of acquisition

and the excessive prices which, in many cases, local authorities are compelled to pay must be revised and corrected, and this Committee in 1918—the Rai Bahadur will kindly note that my authority is a very recent one—came to the decision that any additional solatium to compensate for the compulsory nature of public acquisition was an unnecessary burden upon the community. I will quote the words of the committee. After having examined not merely expert witnesses but also representatives of the various local authorities in England and Scotland they said :—

'Nearly all the witnesses who have given evidence before us are in favour of abolishing the customary allowance for compulsory purchase, and we think that there is a growing consensus of opinion that it is an unwarranted addition to the cost of public undertakings .... We think, therefore, that no allowance for the compulsory acquisition of land should be added to the market value.'

Now, my Lord, as I have suggested already it is unnecessary for me to attempt to defend the entire principle enunciated in the report from which I have just quoted, because the Local Government have already decided to make a considerable step towards meeting the position taken up by the Hon'ble Rai Bahadur. But it was necessary in explaining the reason for our not accepting the resolution in full to refer to this pronouncement which I submit must carry great weight. It may be that I shall be met by the 'fur-coat' argument that English analogies have no reference to Indian conditions, but I submit that so recent a pronouncement given by a body comprising so many leading Home experts must carry great weight even in India and as applied to Indian conditions. As it happens the present law and practice in Calcutta are actually in advance of the opinion which has prevailed in England during the last 50 years, and it does seem a somewhat retrograde step to ask this House after an hour's discussion to discard a principle which is now thoroughly endorsed by the best authorities, and I would, therefore, urge that this Council should decide that whatever the ultimate decision might be upon this important principle, it is inadvisable to pronounce a hasty judgment upon it now.

I need not refer *seriatim* to the arguments which have been adduced by the Hon'ble Members. It is urged that the invidious distinction between the acquisition of land by the Improvement Trust and by the Municipal Corporation in itself condemns these provisions, but I think that argument loses much of its force when we remember that the Trust was created for a special purpose and that all these arguments were laid before the Council and met, as I think, when the Bill was passed in 1911. A further argument is drawn from mufassal practice. It is urged that if the mufassalite is entitled to compensation why should the Calcuttaite be mulcted of what he considers his right. I think I may here cite the distinction which is often drawn in the English courts between 'onerous' and 'beneficial' acquisition. In the case of land being acquired for the purpose of making a square the benefits immediately enjoyed by the surrounding residents are obvious, but in the case of land being acquired in the mufassal, for instance, to construct a Police Inspector's quarters the transaction might be said to be onerous because the benefit is spread over the whole thana or district and that particular neighbourhood does not obtain any immediate or manifest advantage from the action. However, as I have already stated, I do not wish at this stage to enter into the various arguments which have been cited at any great length. I would base my case mainly upon the fact that Government proposes at an early date to legislate and that it is

Rai R. C. Pal Bahadur.

inadvisable that the House should now come to a hasty decision upon an important principle which must thoroughly be discussed by this Council in the near future.

As regards the distinction which Government proposes to make between street schemes and improvement schemes, I may say a word. The Council are aware that a general improvement scheme is initiated to improve and abolish insanitary conditions, whereas street schemes although they may be initiated to remedy defective ventilation, etc., are more particularly intended to provide better means of communication. The Hon'ble Rai Bahadur may ask how Government can logically draw a distinction between the acquisition of lands for these different purposes. I may say that as a matter of fact the improvement schemes which the Calcutta Trust has up to the present undertaken are mainly street schemes. In fact the only general improvement scheme which the Trust has executed is scheme No. I, known as the Surtibagan scheme. The Rai Bahadur then may probably feel that in accepting this half loaf he is standing on very safe ground, because, as a matter of fact, it has been found that the Corporation of Calcutta has shown no alacrity to represent insanitary conditions to the Trust and to press the Trust to undertake schemes of general improvement, so the actual position will possibly be very little affected by the fact that Government does not accept the whole motion. I spoke of a reservation in stating that the Government of Bengal was prepared to give the 15 per cent. additional compensation in the case of street schemes. The reservation is this: certain Members of this Council will probably remember Mr. Bompas' argument on this subject

I have very little more to say. Some Members of this Council may remember that at the time when this Bill was discussed in 1911 Mr. Bompas stated that the Government of India, who were financing the improvement of Calcutta to the extent of Rs. 50 lakhs, had clearly stated that their contribution and their position would have to be revised if they understood that the Legislature proposed to give this Rs. 50 lakhs to the landlords as compensation. This Council will agree that the local Government are not in a position immediately to undertake to promise that the payment of compensation in the case of street schemes should be inserted in the Bill. It will be necessary to consult the Government of India and obtain their views on the subject. But, subject to their consent, the local Government intend, as I have already informed this Council, to introduce a Bill at an early date which will provide for the payment of an additional 15 per cent. compensation in the case of acquisition made for street schemes. In view of the action which Government propose to take, I would urge that the Council should decline to be forced into any decision now upon this important question of principle."

The Hon'ble Rai Radha Charan Pal Bahadur said:—

"My Lord, I have followed with very great attention the reply of the Hon'ble Mr. Goode. In the first place, when he began to speak he seemed to raise rather high hopes in my mind when he said that he was glad to be in a position to meet me more than half-way, and gave me an assurance that legislation would be taken up at an early date. My Lord, in the first place, as far as I have been able to understand him, it is an indefinite assurance. I do not quite follow what he meant by an early date—it may be this year, next year, or it may be three years hence, and in the meantime the present Act will go on. Then, my Lord, as far as I have been able to follow him, I understand that Government are prepared, subject to the approval of the Government of India, to restore the 15 per cent. statutory allowance in street schemes. Whatever the majority of Government may think in this matter—I am sure Mr. Goode is speaking as the mouthpiece of Government—there is some difference between street schemes and general improvement schemes in

Rai R. C. Pal Bahadur.

regard to procedure and scope. But so far as the acquisition of property is concerned, there is not very much difference. In a general or in a street scheme not only the land required for the carrying out of the improvement is acquired but also surplus land on both sides of the road extending to 100 or 200 feet in depth is taken and in such cases all the houses situated within the area come within the limit of acquisition. A chart has been prepared showing 1st and 2nd class houses by Dr. Crake, the Health Officer placed on special duty, although we find that the chart is not in all places quite correct. However, that is a separate matter. But what I understand is that in street schemes 15 per cent. would be allowed but in general improvement schemes the whole area is declared for acquisition but is not actually acquired, that is to say, the properties lying on the road line are acquired and the rest of the properties are reserved to form building sites and are either re-leased to the former owner or by agreement to the owner who holds a major portion at a certain value fixed by the Trust. That is also the procedure followed in street schemes. What is the difference then? Here you pay 15 per cent. and there you do not pay 15 per cent. The case of general improvement schemes and that of street schemes is almost the same because both are designed to improve the sanitary condition, and I think therefore that additional compensation should also be paid in the case of general improvement schemes. That is the recommendation of the Trust. Much has been said about the recent report of the Home Government regarding additional solatium. I have not seen it but this much I can say that the conditions of India and England are very different. It may be said that you wish to follow the western example. You do so when it suits your purpose, but when it does not, you do not cite the western precedent. I may say that the conditions in the west are quite different. In your country you can easily, without any compunction, remove one family from one quarter to another. But here in this country there is considerable weeping and beating of breasts and shedding of tears. There is a great feeling for clinging to ancestral homes and therefore there is great difference between the conditions in England and those prevailing here.

The British Government have reigned in India for more than 150 years and therefore they ought to know that these things have to be done very tenderly. I do not think that the example of Great Britain should be applied here. There the war conditions have put everything topsy turvy. The Hon'ble Mr. Goode has cited the Bombay Improvement; but why should we go so far as Bombay. I do not think that as the people there live in *chauls*, flats and tenements they have so much clinging to their ancestral homes. It seems anomalous that whereas 15 per cent. compensation will be paid for lands even in an insanitary condition outside the limits of the Calcutta Municipality, the same will not be paid for lands in Calcutta. For lands acquired by the Calcutta Municipality the solatium is paid; whereas, it is not paid when the lands are acquired by the Calcutta Improvement Trust.

Mr. Goode has also referred to the mufassal. What is mufassal to-day will be included in Calcutta to-morrow or within a few years. I believe that in the near future, the jurisdiction of the Calcutta Improvement Trust will be extended to Cossipore-Chitpur, Maniktola and Tollyganj. At present the people in those places get the 15 per cent. allowance for compulsory acquisition; but when the Act will be extended to those areas two years hence, they will be denied their compensation. These people are poor; and is it just to deny them their solatuim?

The Hon'ble Mr. Goode has stated that an early decision will be arrived at in this matter. I would like to have some assurance as to when it will be. I quite understand that the Bill will be fully discussed in Council, but before I decide to withdraw this resolution I must know when legislation is likely to be introduced."

Mr. Goode; Rai R. C. Pal Bahadur.

The Hon'ble Mr. Goode said :—

"My Lord, it is proposed that the draft Bill will be brought in its final shape while Government are at Dacca, and steps will be taken to obtain the consent of the higher authorities to the introduction of the Bill. As I have said, the Bill will be introduced at an early date; but I am unable to give any fixed date."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"On second consideration I beg to withdraw this resolution."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble Rai Radha Charan Pal Bahadur also moved the following resolution :—

This Council recommends to the Governor in Council that the Government do take into consideration the amendment of the Calcutta Improvement Act, 1911, with a view to provide that in cases of applications for exemption surplus land under section 78 of that Act, an appeal may be allowed to the Improvement Trust Tribunal or any other competent court of law in the event of any dispute arising between the owner and the Board as regards the sum in consideration of which the acquisition may be abandoned.

He said :—

"My Lord, this is also a motion which perhaps I may explain briefly in a few words. Under section 78 of the Calcutta Improvement Act the surplus land which is taken on both sides of the road can be exempted on payment of a fee if not required for the execution of the scheme. My Lord, it stands thus: the Board assumes the present value of the property and also estimates its future value; then, whatever the difference, less 20 per cent., or in the case of dwelling houses 33 per cent., is demanded from the owner of the property as fee for exempting the premises from acquisition. If the party agrees to pay that sum then his property is exempted; if not, his property is acquired and he has to leave his holding. When this section was inserted it was inserted in a very benevolent mood. The Government of India thought that having regard to the feelings of the people of this country—their deep rooted attachment to their property—they should be allowed to retain their property on payment of a fee not exceeding half the future value of the property. That was the despatch of the Government of India on the subject. I read it last night and I have read it this morning, if I am incorrect I may be informed by the Hon'ble Member opposite. Now, my Lord, the position is this: the Trust practically acquires the property and sells this property to the owner and the purchase price and future value are both assessed by the Trust. There is no appeal against this valuation. The Trust is in a dominant position and is the master of the situation. The Trust has forcibly got possession of a man's property and, although Government very generously allowed the owner to retain the property, practically he is entirely in the hands of the Trust, which is in a dominating position, that is to say, the Trust may say either pay this or get away. Though the valuation may be excessive the owner has no power to test that valuation. It is therefore suggested that where there is a difference, *i.e.*, where a party thinks

Rai R. C. Pal Bahadur.

that the present value has been underrated and the future value overstated, he may have an opportunity to go to a court of law, and as I have said here the Tribunal is the court. Mr. Bompas in his speech in the Council during the discussions in 1911 stated that the Tribunal would be an expert body of valuers and I think, therefore, Sir, that a third impartial party like the Tribunal ought to be allowed to arbitrate between the Trust and the party. That is the principle which was urged on that occasion most strenuously by the non-official members of this Council, but unfortunately, as is always the case, that was not accepted. It cannot be said that the Trust is infallible. As a matter of fact the last Administration Report will show that out of 60 cases referred to the Tribunal from the Collector's award, in 48 cases the Tribunal have increased the valuation by nearly a lakh of rupees and that shows that no one is infallible. Here, not the Collector, but the Board's officers are practically the masters of the situation, whatever valuation they will fix will be final. They practically buy your land at Rs. 500 a cottah, they sell at Rs. 20,000 a cottah. Would you pay the difference in order to get back your land? The party says no, you have valued it at Rs. 500 I do not agree. The Trust will say if you are not prepared to accept our valuation go away, we will have it acquired by the Collector. Then the situation is this: the Trust know the people's passion for clinging to their ancestral dwellings—and it is no exaggeration to say that their hearts bleed when they are told to leave their holdings. The British administration is such that there is appeal in every case but here there is no appeal. Within the closed doors of the Trust the man is told, will you pay this or not; if not, leave your land and go away. That is a situation very distressing to the people and, therefore, I have suggested that where the party is not satisfied with the valuation of the Trust, he may be allowed an appeal to the Tribunal and this concession will be welcomed by every man. Then, my Lord, why not grant this remedy to the people. The Trust is not an infallible body as I have shown by quotation that in many instances the valuation of the Trust and the Collector was enhanced. Sir Rajendra Nath Mukherjee who is here will perhaps bear me out. We selected a big piece of land in Beadon Row for a re-housing scheme valued at Rs. 2,500 a cottah. Before it was declared for acquisition we were informed later that somebody had taken it at Rs. 4,000 a cottah. If it had been declared for acquisition the owner would have got only Rs. 2,500 a cottah, however much he might have talked and cried before the Collector; but fortunately for him before the acquisition notice was issued—he sold it at Rs. 4,000 a cottah. That shows the difference between the valuation of the Trust Officers and the market rate; that was a *bonâ fide* purchase in which P. C. Kumar, a well known name, is the purchaser. Then, my Lord, there is no expert valuer on the Trust. To give another illustration: in the Marcus Square extension scheme the value of the structure according to the Trust estimate was Rs. 40,000; the Collector's award was Rs. 80,000. That shows again the difference between the Trust valuation and the Collector's valuation. I do not at all mean to say that the Trust values deliberately at a low figure, but there is always the chance of injustice being done; in some cases it may be a little more and in some cases less. Here we are not secure even in our ancestral holdings under British rule and we can at any moment be held by the neck and turned out. If a property owner has a right of appeal he has some consolation and that is the reason why I have moved this resolution. I hope it will be accepted. If there is an appeal there is a safeguard against the executive authority fixing an arbitrary fee; it will be a wholesome check upon the Executive if they know that the man may go and file an appeal. I respectfully commend this to Your Excellency's attention, and I am sure that these are the feelings of the people of Calcutta —people who are law-abiding and whose grievances have been expressed in public and in the press. My Lord, there is deep discontent in the city and I feel it my duty to bring it to the notice of Your Excellency."

Rai D. C. Ghose Bahadur; Mr. Goode.

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, when I came to this Council and intimated that I intended to say a few words on this resolution, I was of the feeling that an appeal from the order of a public body to a higher tribunal, whatever may be its advantage, has also its disadvantages and that I might not see eye to eye with my friend Rai Radha Charan Pal Bahadur. But having heard my friend's reference to the cases where the so-called expert valuers of the Improvement Trust have tried to do injustice to owners of properties, I think on a balance of convenience the experiment might be tried of having the matter reviewed by a tribunal which is constituted under the Improvement Trust Act and supported with the money of the Improvement Trust. If any appeal has to be preferred to any authority, I think the Improvement Trust tribunal will be the fit authority. I myself do not share with my friend to my right (Rai Radha Charan Pal Bahadur) in the idea that as our people are accustomed to go from one court to another, therefore, that there should be an appeal in a matter like this. I think in a matter like this the first authority should be a strong one, an authority with full knowledge and a sense of doing justice to house-owners. Some reference has been made to the Land Acquisition Deputy Collector. But where there have been Civil Service men they are generally liberal and inclined to be just. It is not a feeling which I express with reference to reports but from personal knowledge extending over a considerable number of years. In the beginning, if he has no experience he is apt to make mistakes, but as he acquires knowledge of the valuation of property he tries to be just and he has always the courage of his conviction and is not afraid lest the authority behind his back frowns at him, but a Deputy Collector unfortunately labours under a disadvantage. I know that if the latter officer were not dependent entirely on the good books of his superior for his promotion he would offer a higher price and be more just to the house-owners.

Well, Sir, I will refer to a matter which I know. It is a compliment to the Indian Civil Service Land Acquisition Collector, but the reverse of it to the expert valuer of the Improvement Trust. When they began their operations they acted as one without the necessary knowledge of the subject. As regards a tenanted house, the best way of assessing it is to pay a certain number of years' rent, and in that case, there will be no dispute, but they thought that they could reduce the price and they accordingly proposed something for the land and something for the structures and of course they put a very low value on the land and a very low value on the structures. In a certain case the expert valuer of the Trust estimaed the building property to be 70 years old which was actually not even 30 years old and so he valued it low on that basis. The Land Acquisition Collector, Mr. Peterson, thought that the property was undervalued and he made a reference to the Improvement Trust recommending an increase as he was satisfied that the property was not so old. When the case went before the Trust Tribunal the expert valuer gave his evidence to the effect that the building was 70 years old, but the court disbelieved him and the court believed the story of the owner. The Improvement Trust has not taken any notice of the conduct of their staff, and I doubt very much whether a proceeding of that kind would not be a premium on carelessness. I therefore think that the staff which values the property should be improved and there should be a more efficient staff imbued with the spirit not to do any injustice by lowering the estimate where it ought to be estimated high."

The Hon'ble Mr. Goode said :—

"My Lord, in listening to the speeches of the Hon'ble Mover and the Hon'ble Rai Debender Chunder Ghose Bahadur I have looked in vain for any

recognition of the fact that the whole essence of this question lies in the difficulty of determining the future value of any property. The exemption fee-system is briefly this: the Improvement Trust in making a street finds that a certain piece of land is not actually required for the execution of the scheme, although it proposes nevertheless to acquire that land with the idea of recovering some of the improved value which the improvement scheme has produced. Instead, however, of the Trust at once acquiring that land the owner is in a position under the Act to ask the Trust to fix a fee on payment of which the Trust will abandon the acquisition. This in fact is a short-cut towards the acquisition of the land and its subsequent re-sale on the pre-emption principle to the original owner of the land. Instead of the Trust acquiring the land and subsequently reselling it, it confers with the original owner and accepts a fee representing the improved value or some part of the enhancement of the value which the improvement has caused. Now, the whole difficulty is to ascertain what the future value of that property will be, and I think that point has been somewhat neglected by the Hon'ble Mover in his speech. Obviously the ascertainment of the future value bears no relation or very little relation to the ascertaining of the present value. One is a matter of scientific computation helped by experience but the ascertainment of the future value is based largely on a guess or a prophecy. Now, I would ask the Hon'ble Mover—how can you ask for a judicial determination in the matter of a guess or prophecy? It may be that one expert may be able to give a more accurate guess than another expert. The expert who has had more experience may be able after discounting the factors of special circumstances to approximate more nearly in his guess to the future value of a property; but nevertheless in the last resort his estimate remains a guess and he might be hard put to it to give reasons for the faith that is within him in making that estimate. Generally speaking, I would say that the respect which we attach to any estimate of any future value is based mainly on our respect for the expert and not on his arguments. In view of this fact—a very vital one in this discussion—I cannot conceive how the Hon'ble Rai Bahadur can ask this Council to assent to the principle that there should be an appeal to a court of law from the guess of an expert. He has suggested that the Tribunal is itself an expert body. It may be that the promoters of the Improvement Trust Act did originally intend that the Tribunal should be an expert body, but it cannot be said that the present Tribunal is composed of experts and it seems to me that it will be absurd to ask such a body to sit in judgment upon the guess—not upon the well-founded judgment—of an expert, as to the future value of properties. That is why it has been so often suggested that the whole exemption fee-system resolves itself into bargaining or negotiation. The Rai Bahadur may suggest that the unfortunate owner of the property is at present given Hobson's choice. The Trust says if you will not accept the valuation which our expert has made then we shall acquire your property. I hope, however, that the Hon'ble Rai Bahadur will not adopt so cynical an attitude towards this body. I think it is inevitable that a body such as the Trust can never attempt in this indirect way to frustrate the obvious intention of the law and I feel therefore that the Rai Bahadur will not contend that any person coming before the Improvement Trust receives anything but fair and impartial consideration of his case. I was suggesting that it was a matter of negotiation between the two parties. The owner of the land assessed finds that it is worth to him so much to retain this property. The Trust has already decided that if they acquire the land for re-sale they will make so much profit. Between the two factors, viz., the profit which the Trust assumes it will make and the future value of the property as computed by its original owner between these some compromise has to be reached. This system of negotiation for a compromise is not a matter for judicial determination and I contend most strongly that it is quite out of place to lay these uncertain factors before a court of law. The Rai Bahadur suggests that the Improvement Trust is not infallible, that it may make mistakes and

Rai R. C. Pal Bahadur.

that it is therefore advisable to have another authority to check its errors. I do not suggest for a moment that its mistakes may not be numerous but I do contend that its mistakes are any rate made in good faith, and I do not admit the dismay, consternation and the discontent which the Rai Bahadur will have us believe prevail in Calcutta at present in regard to the present method of assessment. I have sat in many committees of the Corporation on which the Hon'ble Rai Bahadur was himself present. I have watched and seen the considerate and reasonable manner in which the Corporation has discussed with owners of properties what fee may fairly be fixed in order that they might secure redemption from acquisition, and I see no reason for thinking that the same fair treatment does not prevail in the Improvement Trust Exemption Committee. But there is a further safeguard to the owner of the property. If he decides not to pay the fee which the Trust may fix he has still not yet lost his property. The land may be put up to auction and the original owner may then enjoy the right of pre-emption. He is then in a better position to determine whether the future value estimated by the Trust is fair or not. Again, if he considers that the offer of the Trust is not a good enough one, and if he thinks that he will lose on the transaction he can refuse to pay the fee and the land may be acquired and put up to auction. I think the Hon'ble Rai Bahadur will on reflection admit that the Trust, as a statutory body, will exercise its power in a reasonable way and will not impose exorbitant fees with the hope and intention that the party may refuse to pay them, the property remaining in the hands of the Trust. In view of these facts I think that this House will refuse to accept the principle which the Hon'ble Rai Radha Charan Pal Bahadur has urged upon them. But I will also invite the attention of the House to the fact that this Bill will shortly be amended and that the whole question of recoupment is likely to receive treatment on broad lines and it is quite possible that the Government of Bengal may decide on some other method of recoupment whether betterment or frontage rate which will be more equitable and more easily worked than the present system. I would, therefore, urge even more strongly than when speaking on the previous motion that it is premature to discuss the question of principle at this stage."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have listened with very great attention to the Hon'ble Mr. Goode's reply. As far as I have been able to follow him he has admitted what I mentioned to the Council that the fee is based on the difference between the assumed present value and future value. It is a very short cut—this acquisition and the subsequent sale to the owner—acquiring at the Trust's own valuation and selling at their own estimate of future value. I say, my Lord, that it is not fair that the party should not be given an opportunity to go to a third party but be compelled to accept the terms of the Trust who are interested in the matter. I do not say that they are interested in the way that they are bent upon doing an injustice to the owner. But all the same the Trust is interested, and I think there should be an appeal to the Tribunal. Owing to the benevolence of the Legislature, the Board have to offer their surplus land to the party of course at their own valuation. The Government of India in their despatch to the Secretary of State recognized the love and attachment of the people of India to their holdings. And why should they be deprived of their holdings by an interested party however well intentioned that party may be? That is my point. Then, Mr. Goode has said that the difficulty lies as regards future valuation. He asks how can the Tribunal ascertain future valuation; the members of the Board are human and the Tribunal also are human. I may quote from Mr. Bompas who said in this connection that experts in land valuation were procurable and it was desirable to appoint a Tribunal for the trial of such cases which should be an expert body—it was intended to be a court of experts. That was in reference to the opposition of the Council at the time

to the creation of a Tribunal. Mr. Bompas fought hard for the Tribunal. He said it would be an expert body and that the people would be benefited and that the Tribunal would command greater confidence than a High Court Judge who might to-morrow a Civilian. He asked Trust or anybody be afraid of going to experts who Get all the facts. In England, I find from Mr. Bompas' as well whereas from Mr. Basu's speech, you have got an arbitrator appointed by the Local Government Board. Then, why should you not leave matters to be decided by arbitrators? Let them judge whether the present valuation is fair and future valuation reasonable. Nothing is lost thereby and the party is pleased. In the debate on the Improvement Bill Mr. Bompas had to admit that the party had a right to say that somebody else must decide between the Trust and the claimant when they differed. Therefore, I think, that there is some reason and some ground for the demand that I now make on behalf of the people of Calcutta. Then, Mr. Goode has referred to pre-emption. Mr. Goode knows very well all about it. He has been a very very sympathetic Chairman of the Corporation, I do not say this in flattery. But I ask, is it fair to talk about pre-emption when you take away the right of redeeming the property? My Lord, I would explain what pre-emption is. The holding is acquired outright, the road is made or the improvement is completed, three or four years elapse and before the property not taken up for the roadway is put into auction the owner is asked, do you want this now? His house was there and if he had been granted exemption, he would have continued to live in his holding, and would have been allowed a rebate of not less than 20 per cent.; he could have made the fee a charge on the property instead of paying it in a lump sum. All these advantages count for nothing at the time of pre-emption when he has to pay down the whole amount in cash without any rebate, not to speak of the distress caused by the compulsory removal in the interval. Is that fair, my Lord? This point was debated in this Council and the justice of the case was fully pressed at the time by the Hon'ble Raja Hrishikesh Laha, Babu Bhupendra Nath Basu, Mr. Apcar and others, and I find from the proceedings that the Hon'ble Maharajadhiraja Bahadur of Burdwan voted on the popular side. But, my Lord, everything was washed away as there was a solid official phalanx that day even as there is to-day. I do not want to take up more time, but I would make a fervent appeal that this matter should be taken into the careful consideration of Government as there is a great feeling of discontent in the city over it."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 14.

The Hon'ble Rai Radha Charan Pal Bahadur also moved the following resolution :—

This Council recommends to the Governor in Council that a committee, consisting of representatives of the Corporation of Calcutta, the Calcutta Port Commissioners and the Calcutta Improvement Trust, and representatives of other interests concerned, be appointed to report on the present condition of the Port Commissioners' lands in Calcutta lying north of Howrah Bridge, and to suggest the most suitable and effective methods for improving the sanitary condition of such lands and for developing them to the best advantage by structural or other alterations.

He said :—

"My Lord, in moving this resolution I should like to give a brief history of the Port Trust lands north of the Howrah Bridge. Originally the formation of the Strand Bank was partly the result of alluvial deposit and was

Rai R. C. Pal Bahadur.

assisted largely by the municipality depositing for many years the sweepings of the town. When Strand Road was constructed some of the prominent landholders of Calcutta parted with their right over a considerable portion of the riverside land for purposes of public utility, and the Government of Lord Dalhousie stated that it was proposed 'to keep the land between Strand Road and the river in such a condition as to be both ornamental and helpful to the town and useful at once for the purposes of commerce and recreation. The design of the most noble the Governor of Bengal is that the land in question should be used permanently and exclusively for purposes of public utility connected with the trade, traffic, health and the convenience of the community in furtherance of which design, roads, ghâts, wharfs and the like might be made, but no elevated buildings were in contemplation.'

In 1862 when the Calcutta Port Trust were made Trustees for the first time in connection with the property, then it was proposed that the land should be utilized for the reduction of port dues. Sir Ashley Eden (then Mr. Eden) spoke as follows :—

'As to the proposition of making over the river bank for the relief of the port dues, he considered it a most selfish one . . . . . He confirmed what had fallen from an Hon'ble Member regarding the interest of the original pottadars and added : It was certain that neither Lord Dalhousie nor the pottadars in compromising all disputes ever intended the bank to be devoted to the reduction of the port dues. *If the bank belonged to the public, it belonged to the whole of the public and should be applied for their benefit.*'

The representative of the Chamber of Commerce agreed with the contention that the river bank belongs to the entire community.

For about 47 years this property has been in the hands of the Port Trust, and what is its condition ? If Your Excellency would pay a surprise visit you would be astonished to see that it is in an abominable condition and is a permanent menace to the health of the city. It is a conglomeration of huts, godowns, etc., in insanitary and undrained condition, cattle are tethered in innumerable numbers on public roads and passes, and the whole area is kept in such a way that it is a source of perpetual nuisance to the city. The present Health Officer (Dr. Crake) District Health Officer in charge of the northern part of the city, reported that the state of affairs existing here was really scandalous. The Corporation for the last 15 or 20 years have been asking the Port Commissioners, as if on their knees—they are such a powerful body—to effect improvements ; but every time a request is made, they meet practically with a rebuff. However, in 1909 a Conference was held between the representatives of the Corporation and those of the Port Commissioners regarding the widening of Strand Bank which is just on the riverside and the Strand Road which starts from the corner of Harrison Road. The Conference was attended by Mr. Payne ; I was one of the members, and Sir Frederick Dumayne prepared a plan showing that the whole area would be admirably improved by providing a 70-feet roadway with 40 feet side-roads and with a river bank road of 40 feet in width ; this would have admirably opened out the area. I have got the extract from the note of Sir Frederick Dumayne ; it is this : a 75-feet road in the middle, 40 feet on the western side, and 40 feet on the eastern side. Then many of the existing buildings and huts would be removed ; new buildings and even warehouses would be constructed and there would be ample space for ventilation and the whole area would be put in a tidy condition. We were enamoured of it and we thought that Sir Frederick Dumayne's proposal would materialize. I was expecting it to materalize every day, but I do not know what has happend to it. I fear that when Sir Frederick Dumayne left this country it was sent in the same boat with him and was dropped into the English Channel ; it has not since seen the light of day. If Your Excellency would drive

over the area you will find that between the Ferry Ghât and Jagannath Ghât a huge four-storied warehouse has been built not only projecting over the 60 feet roadway, but covering nearly the whole roadway, and affording only a subterranean passage, thus light and air are absolutely shut out. That passage is obstructed by rows of bullock carts—a teeming number of them—which are loading and unloading. On the north side there is a range of warehouses and on the east side there is a platform and there are warehouses on the first and third floor and a sloping staircase. The carts stand there loading and unloading at all hours of the day and therefore that road, which is always blocked up, is in an abominably filthy condition. People have anyhow to crawl through that passage in order to get to Howrah Bridge. A body of businessmen is keeping this area in this abominable condition. If the Port Commissioners dared to do this in the southern part of the town they would have been wiped off the face of the earth, but they are doing this with impunity in the northern part. The Corporation asked them to provide proper accommodation for carts and cattle and to pave all the passages over which there is heavy traffic. The Port Commissioners said: 'you had better build the stable or let the Government contribute, we cannot pay anything'. The other day they wanted to give a piece of land to the Corporation at the extreme north of Baghbazar on which it was proposed that the Corporation should construct a cattle-shed at a cost of about Rs. 3 lakhs, but the Port Commissioners would not pay a single pice. That is their justice; they are a powerful body, I do not know whether they are under the ægis of Government, but that is how they treat the Corporation. A few weeks ago the General Committee decided that it was not the business of the Corporation to provide stables for carts and cattle serving in the Port Trust area. If the Port Commissioners mean to let the carters continue the nuisance it will be a source of danger to the health of the residents of the northern part of the town. Everything continues in its pristine glory, my Lord. Sometime ago I solicited Your Excellency's predecessor, Lord Carmichael, to pay a visit to the northern quarter. He expressed his willingness, if he could find time, to arrange a visit to that quarter. If Your Excellency will pay a surprise visit—for if previous intimation is given of Your Excellency's visit, the officers will cover up the whole area with a red carpet—I am sure I will be able to show that not a word of mine is exaggerated as regards the condition of affairs there. The question of a river promenade was raised by Sir Francis Stewart and Mr. Bompas, but what to speak of a river promenade! The whole area is full of all sorts of refuse and the smell of dung is unbearable there. Such being the condition of things, I respectfully move that a committee be appointed consisting of representatives of the Port Commissioners, the Calcutta Corporation, and the Improvement Trust and of other local bodies and such other persons as the Government may think fit to report on the present condition of the Strand Bank Press and to suggest what suitable methods for effecting sanitary and structural improvement should be adopted."

The Hon'ble Mr. Cumming said:—

"My Lord, the object which the Hon'ble Member has in view is, as he has stated in his resolution, the improvement of the sanitary condition of these lands and their development to the best advantage. The Port Commissioners and the Government are quite at one with him in this desire. He has portrayed the Port Commissioners as a powerful body absolutely impervious to any suggestion for improvement. This I do not consider to be a true picture. He has given an account of the lands which I might amplify; but I shall not take up the time of this Council beyond saying that these lands were the result of agreements between Government and the Port Commissioners at various times between 1874 and 1877. The Hon'ble Member

no doubt is correct in quoting the original idea with which such lands were transferred: they were for the purpose of public utility connected with the trade, traffic, health and convenience of the community. I do not think that the Port Commissioners at the present moment would be prepared to say that they have had a very definite policy in the past regarding such lands, but it is only right to realize the difficulties which beset their path.

In 1908 a scheme was prepared for the development of such lands, but at the time of the Port Facilities Committee in 1913 some portions of the scheme had to be revised or abandoned. Then, later on in 1913, some new factors had come into existence in which there are, to some extent, still uncertain quantities. There are two main facts regarding any general scheme for the improvement of areas to the north of the Howrah Bridge which must be considered. First of all, there is the very important proposal about an inland harbour in connection with the Grand Trunk Canal scheme; and, secondly, there is the question of a Delivery Depôt in connection with the King George's New Docks. These and other difficulties which I might enumerate have impressed the Port Commissioners and they realize that an entirely new scheme for the present moment would be difficult to prepare.

Now, the proposal made by the Hon'ble Mover has been anticipated to some extent. The Improvement Trust addressed the Government on the subject and suggested that it would be better to re-examine the whole question of this land, and if there were no scheme, to have one prepared; and recently we saw in the press that the Calcutta Municipality had formed a somewhat similar opinion. On receipt of this communication the first action of Government was to find exactly the size and area of these lands and the terms under which they were held. Indeed, I was prepared on behalf of Government to address the Commissioners on the subject just about the time the notice of the Hon'ble Member's resolution was received. The intention of Government is still the same; and it is to address the Port Commissioners asking them to prepare a comprehensive scheme as far as they can to remedy the outstanding intrinsic defects; and, before they finally submit their proposals to Government, to consult the Calcutta Corporation and the Improvement Trust. That obviously will meet to a very great extent the object which the Hon'ble Member has in view in asking that a joint committee consisting of these three bodies proposed be formed. Moreover, it may be in the recollection of members of this Council that in answer to a question this morning an intimation was made of the intention of Government to put on the statute book at an early date legislation regarding a Central Port Health authority in Calcutta; and obviously such an authority, if created, would have something to say regarding these various areas. These being the facts, my Lord, I submit that in view of the action which Government have already determined to take and are proposing to take the proposal in the Hon'ble Member's resolution is, if I may say so, premature, if not unnecessary. The Hon'ble Member will probably consider that the action which the Government will take will meet the object which he has in view more expeditiously. I would ask him to reconsider whether he would pursue the resolution or withdraw it."

The Hon'ble Rai Radha Charan Pal Bahadur said:—

"My Lord, I have listened to the Hon'ble Mr. Cumming's reply and if I have followed him aright, he said that the Government had already addressed the Port Commissioners on the subject."

The Hon'ble Mr. Cumming said:—

"I beg the Hon'ble Member's pardon. I did not say that; I said that the Government were going to address the Port Commissioners."

Rai R. C. Pal Bahadur.

The Hon'ble Rai Radha Charan Pal Bahadur (continuing) said :—

"I now understand, my Lord, that the Government are going to ask the Port Commissioners to submit their proposals for the improvement of this area in consultation with the Calcutta Corporation and the Improvement Trust. If I understand the Hon'ble Mr. Cumming correctly I think he said something about the Central Port Health authority. However, what I understand generally is that my motion will be met to some extent, in an indirect way; that is to say, that Government will ask the Port Commissioners to prepare their scheme in consultation with the Corporation and the Improvement. My motion is that Government should appoint a committee. Instead of doing that, as it would perhaps be rather like superseding the Port Commissioners, Government are doing it in an indirect way. The Port Commissioners are not like the Burdwan or Chinsura municipalities which can be superseded. I am glad to hear that Government are going to take some action in the matter. However, if the evils which I have brought to the notice of Your Excellency are removed within a reasonable time I shall be quite content. My Lord, I would like to have some assurance that this will be done expeditiously. I want to know what time the Port Commissioners will take in submitting their scheme in consultation with the Improvement Trust and the Corporation, and I shall be glad if Government will give us a hint that this will be done within a reasonable time, otherwise the insanitary condition of the northern part of the town will continue to the great detriment of the residents there. With these observations, my Lord, I beg to withdraw my resolution."

The motion was then, by leave of the President, withdrawn.

Adjournment.

The Council was then adjourned to the next day, Friday, the 4th July, 1919, at 11 A. M., in Government House, Calcutta.

A. M. HUTCHISON,

Secretary to the Govt. of Bengal and

Secretary to the Bengal Legislative Council (Offg.).

CALCUTTA ;

The 24th July, 1919.

B. S. Press—7-8-1919—1473J—357—C. W. M.

Abstract of the Proceedings of the Bengal Legisl...
the provisions of the Government of Ind... ...ct
...ublic interest.)

THE Council met in the Council Chamber at Governprevious day Calcutta, on Friday, the 4th July, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. LANG

The Hon'ble MR. J. F. GRAHAM.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. T. O. D. DUNN.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon ... L, O.B.E.

The Hon'b Mr. Babu Siv Narayan Mukharji.

The Hon'ble Kumar Shib Shekhareswar Ray.

The Hon'ble Babu Brojendra Kishor Ray Chaudhuri.

The Hon'ble Mr. Arun Chandra Singha.

The Hon'ble Sir Deba Prasad Sarbadhikari, Kt., C.I.E.

The Hon'ble Rai Debender Chunder Ghose Bahadur.

The Hon'ble Rai Radha Charan Pal Bahadur.

The Hon'ble Sir Frank Carter, Kt., C.I.E., C.B.E.

The Hon'ble Mr. H. R. A. Irwin, C.I.E.

The Hon'ble Dr. Abdulla-al-Mamun Suhrawardy.

The Hon'ble Maulvi Abul Kasem.

The Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri.

The Hon'ble Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Khan Sahib Aman Ali.

The Hon'ble Babu Bhabendra Chandra Ray.

The Hon'ble Mr. Altaf Ali.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble Babu Surendra Nath Ray.

The Hon'ble Babu Kishori Mohan Chaudhuri.

RESOLUTIONS.

(*Under the rules for the discussion of matters of general public interest.*)

[The discussion of the resolutions left over from the previous day was resumed.]

LIST OF BUSINESS—ITEMS Nos. 15 TO 18.

The President said :—

"Items 15, 16, 17 and 18 raise substantially the same question and there need not be four separate discussions on the same matter. The discussion therefore will all take place on the first of these four motions standing on the paper, namely No 15. If it is desired after the discussion is concluded I shall be prepared to put each motion in turn from the chair."

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that in view of the present rise in the prices of food-stuffs, a committee of officials and non-officials be appointed to consider the remedial measures already taken, or in contemplation by the Government, and to advise what further steps (if any) should be taken to alleviate the present distress.

He said :—

"Last February when we had a discussion about the high prices of cloth and food-stuffs on the motion of our indefatigable friend the Hon'ble Rai Mahendra Chandra Mitra Bahadur, the Hon'ble Sir Henry Wheeler was kind enough to explain to the Council the orders of the Government of India, and assured us that both the Local Government and the Food Commissioner were watching the circumstances as regards export trade. As regards import trade he admitted that the prices of wheat, gram and pulses were unfortunately very high, and attributed them to the failure of crops and the decrease in the purchasing power of money.

Subsequently matters became very acute, the price of rice in particular became alarmingly high, the coarsest rice selling at Rs. 8 per maund or so. Government have recently taken steps to reduce exports, and to permit the imports of Burma rice into Bengal. It would be interesting to know how far the exports of rice and other necessaries of life to foreign countries have been curtailed, and in case any quantities are still exported out of India, whether such exports cannot be stopped altogether. I feel bound to point out that there is a feeling in certain quarters that the curtailment of exports to foreign countries has not gone as far as it should go, having regard to our own needs, and the prior claims of the people. In this connection, my Lord, I desire to draw attention to certain articles published in the *Bengalee* by an enthusiastic student of Indian economics, Babu Kshitish Chandra Neogy. From these articles I find that rice was exported from the port of Calcutta, according to Mr. Neogy, to the extent of 15,23,000 maunds in 1918-19, 9,19,000 in 1917-18, and 1,79,100 in 1916-17. Mr. Neogy had also shown that the daily average consumption of rice in the Province was eight chittaks only. In nine months from April 1st, 1918, to December 1918, the export of rice was four and three-fourths crores of maunds. Bengal imported the smallest quantity and exported the largest quantity during the last six years. The result was that the net quantity available for consumption was only 177 million maunds as against 239 and 229 million maunds during the preceding two years. Even under ordinary conditions, the quantity available

was barely sufficient. With a decrease of imports, increase of exports, and with a growing population replenished yearly by large numbers of immigrants, deficiency was more serious than was apparent through Census figures. These were facts which required looking into by a Committee.

I do not know whether these figures will be challenged, but they have been carefully compiled by a very capable student of economics. However that may be, the broad fact remains and cannot be gainsaid that prices of all kinds of foodstuffs are still extraordinarily high, and it is necessary to consider what other steps should be taken to alleviate the present distress which is undoubted and which is much more acute than people in favourable stations in life perhaps realise. It is no comfort to be told that the present high prices in India are part of a world wide economic movement. It may also be mentioned here that on a rough calculation based on Mr. Neogy's figures, we find that during last year, excluding export and including import, there was available only 8 *chitaks* of rice per head for the population. Eight *chitaks* of rice, my Lord, is hardly adequate even for one meal a day. Taking facts as they are, I submit it is incumbent upon Government to take all possible steps to ensure that people have enough to live upon at reasonable rates, having regard to their chronic poverty and the present purchasing power of the rupee. I refuse to believe that the problem is beyond the resources of Government, or that a satisfactory remedy cannot be found if Government and representatives of the people confer together. Various suggestions have been made by different people. The Corporation of Calcutta have suggested a substantial reduction in the extra-provincial or maritime exports, arrangements for concerted purchase for other Provinces, allotments of Burma rice for Bengal and reduction of freight on rice from Burma. In this connection I may mention that I have just received a note from a big rice-merchant of the city, Babu Amulyadhone Addy. He says that on the 15th May last, Burma rice was selling at Rs. 7 in Calcutta, Rs. 6-6 in Cawnpore and Rs. 5-15 in Bombay. He asserts that the Director of Civil Supplies has failed in making a fair distribution of rice. The Government of India have declared that rice is only exported to foreign lands for the consumption of the Indian population abroad. But Mr. Addy points out that even this year rice has been exported to Sweden where there are no Indian settlers. Mr. Addy suggests as a remedial measure a prohibitive duty instead of the present system of control. Mr. K. L. Datta, a renowned officer of the Finance Department, now retired, stated that in the most favourable years, considering the want of the population, not more than 2 per cent. of the produce could safely be exported out of India and that in unfavourable years not a single grain could be sent out of India without detriment to the population. I am not an expert, my Lord, but I may say this that the present topic is agitating the different sections of the community—educated and uneducated, rich and poor. For my part I believe that Government have already taken action on certain lines, but it is possible that discussion in a small committee will bring out other suggestions. The problem is to render available a sufficient quantity of the main necessaries of life, regulate their distribution and arrange for their sale at cheap prices either through official or voluntary agencies. To be effective, remedies must be fairly comprehensive, and it will be necessary to ensure that relief actually reaches the people for whose benefit it is intended. The matter is one which affects the daily lives of the people and a thorough comprehension of their wants and difficulties is essential to organising successful relief measures. This is essentially a matter in which Government and the people should work together in mutual co-operation and trust. A mixed committee of officials and non-officials would be in an infinitely better position to advise Government and to engender confidence in the people in the beneficient intentions of Government. I may say that there is nothing new in this idea of having a committee to advise Government. In the discussion in the Corporation Mr. Rhodes suggested it to license recognised dealers. Last year when the price of cotton goods went up an advisory committee was appointed and did useful work. Although the scope of work of the committee for which I move

would be much larger. Government may rest assured that it will prove at least as useful, and the need for such a committee is no less."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, for the last few months the economic situation in the country has been most serious, causing the greatest suffering to the people. Since I had sent my resolution I find that representations have been sent to Government from various public bodies, for instance, from the Calcutta Corporation, from the Darjeeling Tea Planters Association asking Government to take steps to reduce the price of rice. Government have not been unmindful of these representations. Some *communiqués* have been issued by Government to ascertain the exact situation and also for the control of rice. It is generally believed by the people of this country that the present serious situation has been brought about by the seeming apathy on the part of Government and that efforts of Government have been, as stated by the *Englishman*, only spasmodic.

I think Sir Henry Wheeler may remember that I wanted to move a resolution asking Government to take action to reduce the high price of food-stuffs some time probably in December last and that I discussed the question with him. He was pleased to point out to me the inter-provincial character of the question and he informed me that he would place my resolution in the hands of the Commissioner of Food-stuffs who was expected to come to Calcutta within the next few days. I therefore did not move my resolution. I find however that in February last my hon'ble friend Rai Mahendra Chandra Mitra Bahadur moved a resolution about the high price of food-stuff and cloth. In reply to that resolution Sir Henry Wheeler on behalf of Government was pleased to reply as follows :—

'The Government of India made it clear at the outset that in respect of rice Bengal would not be allowed to close down export so as to keep all available stocks within its borders, and while shortly afterwards first in the case of the United Provinces and the Punjab and a little later in the case of all provinces, they allowed Local Governments to prohibit the export of food-grains, other than wheat and rice, from their jurisdictions except under certificate, they definitely said that they would not allow the powers thus conferred to be so exercised as to apply an absolute and uncontrolled embargo upon all exports of food-stuffs. We were then told that subsequent to the 25th January last the Government of India modified their policy in one material respect, and, while leaving wheat, rice and grain to be regulated by this special Commissioner, withdrew the powers of local Governments to impose restrictions on the movement of food-grains outside their provinces.'

Here we have got no doubt some of the obstacles which stood in the way of your Lordship's Government to interfere with the export of rice either inter-provincially or outside India. But the next passage which I am going to quote shows the attitude of the Local Government in the matter.

Sir Henry Wheeler was pleased to say, 'From 1911 prices rose steadily till 1913, and kept on a fairly high level through 1914 and 1915, rising even higher between September and December of the latter year. At the end of 1915 prices came down considerably and kept fairly steady till the end of 1916. They then fell again and steadied on approximately the same level until about October 1917. Then we have a big drop nearly down to the level of 1911, and while recently prices have risen again, they are not yet up to the level of 1913 or 1915. In the face of that record of prices I submit that it will be impossible to go to the Government of India and say we

want to close down the export of rice from Bengal. All that we can do, we are doing. We are watching the traffic in rice, seeing how much goes out of the province, and keeping the Food-stuffs Commissioner informed of the facts. He is also watching circumstances in Bengal and other provinces, but beyond that, for the moment, we cannot very well go. That is as regards our export trade.' We learn that your Lordship's Government did not like to go up to the Government of India in February last because the prices had not risen up to the level of 1913 or 1915. I think the price of ordinary rice went up in 1913 and in 1915 for a short time. It was about Rs. 6 per maund. The same rice is now being sold at more than Rs. 8 per maund. Export of rice from Bengal to foreign countries has been, however, going on pretty merrily—overseas, not for the purpose of human consumption, but mostly for starching yarn and weaving operations and for the purpose of distillation. Rice is being exported even to Egypt and to Sweden where there is no Indian population to eat rice for whose benefit God alone knows though the Government of India distinctly informed the public by a Press *communiqué* that rice was being exported for Indians living in foreign countries. It appears from the Trade Return of Calcutta for April 1918 to March 1919 published under the authority of the Governor General in Council that whereas in 1917, 17,92,055 maunds and in 1918, 20,19,392 maunds of rice were exported from Calcutta by sea, within the three months of January, February and March 1919, 53,70,526 maunds of rice were exported overseas, *i.e.*, Bengal exported nearly double the quantity of rice in the first three months of this year of what it did in the first two previous years. The meaning of these figures I would ask your Lordship to consider. They mean that the staple food of the country has been exported most recklessly without the slightest regard for the food of the people. It is no wonder that the poor are on the very precipice of starvation. The Government cannot say that the Indian Press has been silent on the question. Nor can it say that the representatives of the people in your Lordship's Council have not brought to the notice of Government the grave situation in the country. But it does not seem that their representations have had much effect on Government. Sir Henry Wheeler was no doubt pleased to say in February last that the attitude of Government would be one of watching. But unfortunately this policy of simple watching and seeing has brought about an unheard-of state of things in the country.

It is our firm conviction that if your Lordship's Government had taken timely action in this matter, things would not have taken this serious turn.

Various suggestions have been made to bring down the price of rice in this province. The subject has been discussed threadbare in the Calcutta Corporation and the Chairman of that body has already addressed your Lordship's Government on the subject. I have already said that the Darjeeling Tea Planters' Association have also submitted a representation. They all submit that the export of rice from Bengal ought to be put a stop to at once on the principle that the people must have sufficient to feed them before any Government would allow exportation and that measures should be taken for the import of Burma rice to this country. The last *communiqué* by Government on the subject of high price of rice has been published in the daily papers of the 16th June. We find there 'that the pronounced rise which began last April has been the subject of careful and minute examination. It is within the knowledge of the public that the control of rice is under the direction of the Government of India.' The public, however, will not be satisfied with this statement. Why were not proper steps taken in the beginning of January or even in February last to put a stop to the large export of rice from Bengal? Why was the attitude of Government simply one of watchfulness? Was the Government of India approached in proper time to avert this present serious situation? Why were some of the sister provinces successful in their endeavours? In the Punjab the price of wheat came down in the course of a single day by notification in April last.

Babu S. N. Ray.

Various suggestions were made in the course of the debate on this question in the Calcutta Corporation. I would add a few of my own for the consideration of your Lordship's Government. They are :—

(1) All export of rice overseas to be absolutely stopped.

(2) Burma rice to be imported in sufficient quantities for Bengal.

(3) Freight from Rangoon to Calcutta to be reduced.

(4) Burma rice to be carried by railways and steamers at concession rates.

(5) Wholesale and retail price of Burma rice to be fixed.

(6) Cheap grain stores to be opened in towns and villages.

(7) Burma rice to be made available at fixed prices—if necessary at lower than cost price at stores to be opened at every thana and at the head-quarters of select rural co-operative societies and select union committees ; co-operation of municipalities, district and local boards to be secured for the purpose.

(8) That the Director of Civil Supplies be assisted by a committee of gentlemen who are in the rice trade and one or two officials, and one or two independent non-official gentlemen.

This high price of the staple *food* of the country is ascribed by some to failure of crop last year in Bengal, but it is well known that the failure was only partial and was not of such a character that the people would have been obliged to starve or would have been obliged to purchase at about Rs. 8 or Rs. 9 per maund. There have been larger failures to our knowledge, but prices have never risen so high. The general impression is that if Government had taken timely action there would not have been this dire distress in the land. In this country where a great deal depends upon the action of Government it is the general opinion that timely intervention on the part of your Lordship's Government would have averted this critical situation. The means which the Government intend to adopt to reduce the price of rice as appears from the *communiqué* of the 16th June will not, we are afraid, grapple the situation properly. I think it would serve no useful purpose if a limited quantity of Burma rice were only imported to Bengal. Burma rice should be freely imported to Bengal so that it may compete freely with the rice in stock in the hands of the dealers in rice in this country. This and the measures already proposed by me will, I have every reason to believe if carried out, tend to reduce the price of rice. In this connection I have consulted some of the influential rice merchants of Calcutta. Let me quote from one of the letters received by me on the subject :—

High prices of rice in Bengal.

Causes of this may be outlined as follows . -

(1) Shortage of crops all over India being the chief cause. Bengal, Bihar and Orissa yielded about 68 per cent. of the normal. Rise in prices is greatly due to this.

(2) Large quantity of boiled rice (this being the only food for Bengal) was drawn for different provinces from Bengal—

(*a*) Bombay drew something like 3 to 4 lakhs bags from Calcutta nearly all boiled rice without the sanction of Bombay or Calcutta Director of Civil Supplies. These consignments were under Military certificates, and the fact can be verified from railway books. Bombay does not consume any boiled rice, then why such large quantities were drawn.

(*b*) Berar also drew fairly large quantity of boiled rice from Calcutta while a fairly large quantity of Burma rice was being allotted to that province. This province also drew under Military certificates.

(*c*) Madras and Colombo drew largest quantity of boiled rice and are still drawing. These parts get large quantity of Burma rice and can be still increased rather than to draw from a depleted province like Bengal.

(*d*) Tea gardens and coal-fields should have arranged for their supplies through Director of Civil Supplies, Bengal, for Burma rice from Chittagong for tea gardens and from Calcutta for coal-fields.

This method would have relieved much pressure in the Bengal districts.

The Military priority certificates have been playing a very prominent part since the last 4 to 5 months in drawing boiled rice. These Military certificates, if properly investigated by a mixed commission of officials and non-officials, will reveal much. The Military Department never required boiled rice, and priority certificates were granted to persons who were never contractors to the Military Department. Places to which these goods were consigned never had any Military Depôt or a station. This traffic was carried on to benefit some body and made big inroads into the boiled rice stocks of Calcutta and the districts.

To bring down prices in Calcutta and districts.

(1) It is difficult to do much at this stage, yet an effort can be made in the following directions :—

(*a*) To stop totally all despatches of boiled rice to up-country, Madras and Colombo. Similar orders should be passed to all Bengal districts for up-country despatches. Paddy might be allowed to be imported to Calcutta to supply mills who produce boiled rice for town consumption.

(*b*) At present Director of Civil Supplies permits about 30,000 tons monthly of Burma rice to meet up-country demand. Out of this, say, 25 per cent. or 7,500 tons monthly of boiled Burma rice if it can be imported, it would affect the Calcutta market and lower the present prices. Boiled Burma rice should be imported at controlled prices and sold out here at different Calcutta centres at a small profit under municipal control. At present Rangoon raw rice is sold on this system, but it is not taken in much as town consumes generally boiled rice.

There are other articles of food of the people of Bengal besides rice which have also gone up in price, viz., pulses, mustard oil and wheat. I think these are governed by inter-provincial rules and I need hardly say that Government will be pleased to take such early steps as may be necessary to reduce their price. While not in favour of advocating the export of rice from Bengal to the other provinces of India I think it is not good policy to prevent the export of rice to those provinces upon which we have to depend upon for some of our own articles of food, such as wheat, pulses, etc. We are, however, opposed to the export of rice out of India.

Whenever the produce of a country exceeds the want of the people the supplies may be freely exported, that is to say, any food-stuff in excess of the requirements of the people can be exported into any foreign country that is in need of such food-stuff. This principle safeguards the inhabitants of the country where the special article of food is produced and any violation of

this reasonable principle must produce discontent in the country from which the foodstuff of the people is allowed to be exported without any check.

I shall now deal with the question of the high price of cloth. We know that a resolution was moved in this Council by my hon'ble friend, Maulvi Fazlul Haq, to appoint a committee for recommending to Government to take such steps as that Committee may suggest for the reduction of the acute distress prevailing in the country owing to the high prices of cloth. That was in July 1918. That resolution was accepted by your Lordship's Government. The Committee was constituted, the Committee sat and the Committee made certain recommendations. We have from the speech of the Hon'ble Sir Henry Wheeler at that very time. The Government of India in their *communiqué* of the 24th August last announced their intention of attempting the manufacture of standardised cloth for the assistance of the very poor, that a Cotton Committee was appointed on the 1st October 1918 and that Committee issued some 1,700 licenses and that owing to this and other causes the market fell. We are told, however, that since that time the attitude of your Lordship's Government has been one of watching the course of trade and of getting the best information as regards the probabilities of the situation so as to be able to decide from time to time whether or not to take further action. There was no doubt a fall in the market but still the price of cloth remained more than double the original price. But within a short time the prices again rose though not to the price of September 1918. But as far as we see no attempt has been made to introduce standardised cloth in the market for the very poor, although the provinces of Bihar and Orissa, the Punjab and the United Provinces have all undertaken to supply the same.

The generality of the people of this province are as poor as the generality of the people of the other province. Bengal is not a manufacturing country. The Bangalakshmi Mill cannot supply the cloth required by even one single sub-division of a district of this province. Still nothing has been done. Is it out of deference to any vested interest? Reduction even by 4 annas for a piece of cloth to a poor man means a great deal to him. It means the cost of salt which is one of his necessaries for at least a month. People naturally become discontented when they see the other provinces enjoy a benefit and that on account of the action taken by their Government and your Lordship's Government have been merely watching the course of events. Whether by the introduction of standardised cloth or by any other possible means the price of ordinary cloth used by the masses of the people may be reduced it is for the Government to consider. We can simply lay our grievances and make suggestions.

My Lord, last year when there was an abnormal rise in the price of cloth there were *hât*-looting cases all over the province. The price of rice however was very moderate then—less than it had been for the last two or three years. People could therefore fight with the then state of things. But things have assumed a different aspect at the present moment. There has been abnormal rise in the price of rice and every other foodstuff, whereas the price of cloth retains almost the same abnormal high price. The pinch has been great. Never has there been in the history of the country such an abnormal rise in the prices of every necessary article of life. The people have become almost helpless. We have got rice in our own country, but we cannot get it. Trades' unfeeling train has been carrying away the same without let or hindrance. It is high time for Government intervention in an active way."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I rise to speak on this motion. But at the outset I may say that I do not associate myself with the recommendation that a committee

Maulvi Abul Kasem.

should be appointed to consider the remedial measures already taken or about to be taken. The object which made me give notice of this resolution was to draw the attention of your Excellency's Government to the state of affairs in the country caused by the scarcity of food-grains and the rise in the price of other necessary commodities of life. I know, my Lord, that the situation is very grave all over the province, but I have confined my resolution to the Burdwan Division and I have done so advisedly because in the first place I can speak of the Burdwan Division with some amount of personal knowledge; and in the second place I wanted to bring to the notice of your Excellency's Government some peculiar circumstances. I may say unfortunate circumstances under which we, the people of Burdwan, suffer.

Your Excellency is aware of the fact that practically since the year 1913, large tracts of arable lands in the Burdwan Division have been flooded by the rivers Damoodar and Ajai and there have practically been no crops to speak of in that area. The area is sufficiently large; it is about 250 square miles on the southern portion and an equal area on the northern side. Since then, however, steps have been taken by the Department of Public Works to mitigate the effects of the floods; but these attempts have not been successful. Although we hope to get good crops from a portion of these areas in the near future yet our hopes have not yet been realised. I have been assured by the Hon'ble Mr. Cumming, speaking on the financial resolutions, that the provision made by Government for the prevention of the flood of the Ajai was such as to prevent any damage by anything less than super-excessive floods; and we earnestly hope and trust that such will be the case. My Lord, the present circumstances are that a large portion of the agricultural population have had no crops for nearly three or four years and the situation is therefore very grave and acute. Consequently I feel it my duty to bring to the notice of your Excellency's Council the fact that when the permanent settlement was made in the Burdwan Division almost all the portion of the arable lands in the Division were under cultivation; and naturally the assessment of revenue was very high; and the zamindars in spite of the permanent settlement have had no appreciable increment of their income or their rentals. However, in other places, where lands have since the days of the permanent settlement been brought under cultivation, the zamindars are now getting rents from their tenants for those lands for which no assessment were made at the time of the permanent settlement. For these reasons, the zamindars in the Burdwan Division are as poor as the cultivators; they are not even so well off as they have to pay a large amount of revenue and get very little profit out of their lands, and are not in a position to help their tenants. So, the only help we can expect at the present moment is from the Government; and I think, my Lord, that it will serve no purpose by detaining the Council by recapitulating all the various things that have been referred to by the previous speakers and the literature that has appeared in the Press and elsewhere on this question. What I would submit to your Excellency's Council is that some steps might be taken to relieve the agricultural population and the poor raiyats from the present distress. If a reference be made to the registration records, it will be found that a large number of holdings owned by agriculturists are being transferred often to money-lenders. These agriculturists find it impossible either to borrow money or to obtain food-grains on credit and they are therefore obliged to alienate their cultivable land and in some cases even their homestead lands, in order to provide themselves and their families with food and other necessaries of life. This is a serious state of things, but it was more so some time ago. The best course in such circumstances to get the help of the co-operative societies. Whoever may be at fault, at any rate, the co-operative societies are not very popular in my part of the province. I do not blame anybody; but that is a fact; and even granting that they were popular, there is no time at the present moment to establish co-operative societies to relieve immediately the sufferings of the people in great distress. In those portions of the Burdwan Division, which had good crops in the previous years and which had not suffered from the

floods, the agriculturists had some stock of rice and paddy; and this was due primarily to the fact that they could not sell their paddy owing to the difficulties in export and transport by railway. But all of a sudden towards the end of last year somehow or other the transit of goods was made more easy, and merchants from Calcutta went to the various centres of Burdwan and Hooghly and offered good prices for the rice; and the agriculturist, who required money badly to pay off their rents and purchase other necessaries of life, sold all their stock they had in their possession being afraid that the price of rice would go down. These agriculturists and jotedars, who generally have sufficient stock of rice not only for their own consumption for years but also for sale, are now practically without any victuals. Therefore it is necessary that some relief should be brought to their doors. Fortunately, for us, my Lord, at the present moment, we have in the district of Burdwan a very sympathetic and an exceptionally able and experienced administrator as District Officer; and if your Excellency's Government place sufficient funds at his disposal, he will be able to afford help to the people under his charge. Fortunately the same may be said of the other District Officers in my division; there are very able and experienced District Officers in almost all the districts of the Burdwan Division. I would therefore appeal to your Excellency's Government that sufficient means may be placed at their disposal to relieve the distress of the people and that the further transfer of agricultural holdings and homestead lands of agriculturists to money-lenders may be stopped, as that will materially affect the prosperity of the agricultural population. I do not know what measures are necessary and I cannot venture to make suggestions; but various suggestions have been made not only by the Hon'ble Rai Radha Charan Pal Bahadur and my friend to my right, the Hon'ble Babu Surendra Nath Ray but also by various public bodies and the press; and your Excellency's Government will be in a position to decide what measures should be adopted. With these words, I beg to support the resolution so far as it relates to the relief of distress of the poor but not to institute an inquiry into the matter."

The Hon'ble Babu Siv Narayan Mukharji said:—

"My Lord, in the midst of the world-wide rejoicings and jubilation consequent on the long-looked-for descent upon this earth of the Angel of Peace after the most sanguinary conflict which the world has ever witnessed, and to which history can hardly furnish a parallel, it would, I fear, be out of place and painfully discordant were we to join the chorus of wail that rises at this hour from one end of this vast Indian continent to the other by reason of the extreme suffering and want created by the not merely abnormal, but unprecedented, rise in prices of food-grains and cloths—the two indispensable and ultimate necessaries of human existence. But the times are such, and the exigencies of the situation are so stern and unrelenting that it is impossible for Government to assume a *laissez-faire* attitude, and for the public to accept the inevitable, and merely sit and brood over the chronic want and sufferings on all sides with the impassiveness of a Buddhist idol. India has had the misfortune to be rather a constant prey to scarcity and famine. The absence of a few bountiful showers of rain, all in good time, and, as its result, a failure, all round, of the winter paddy crop in Bengal or the spring crops of wheat, barley, etc., in Bihar, and we have the wolves of famine let loose upon the land. In dire emergencies, I would rather say, catastrophes of this kind, what Government generally do consists in making provision for work, supplying food for the labourers, and prohibiting the export of food-grains. It takes some months, sometimes more than a twelvemonth, for normal conditions to return. With the harvesting of the next paddy crops the prices of food-grains, which go up by leaps and bounds on these calamitous occasions, resume their normal figures; and improved facilities of railway

communication and the promptness with which relief measures are undertaken have in recent years succeeded in considerably taking the sting out of the sufferings which such cataclysms bring in their train. Common though are dearths, scarcities and even famines in India thanks to the benevolent policy of Government, their kaleidoscopic appearance on, and disappearance from, its horizon, because meteoric, have ceased to have a lasting effect on its economic conditions. But the steady rise in the prices of foodstuffs and cloths during the last decade, culminating in their present fabulous figures, has, while enriching a fortunate class of adventurous capitalists, brought the general mass of population to the brink of starvation and raggedness, nay, even nudity. During the first half of the thirteen years from 1906 to 1919 the prices of commodities continued as follows :—

	Rs.	A.	P.	
Rice	4	0	0	per maund
Dal	4	8	0	„
Flour	5	9	0	„
Ghee	40	0	0	„
Mustard oil	15	0	0	„
Coke	0	5	0	„
Kerosine oil	0	1	6	per bottle
Manchester cloth	1	8	0	per pair

But after a little more than the four most eventful years of the great War the prices of those very articles stand as follows to-day :—

	Rs.	A.	P.	
Rice	9	0	0	per maund.
Dal or pulses	12	8	0	„
Flour	12	0	0	„
Salt	4	0	0	„
Ghee	90	0	0	„
Sugar	22	0	0	„
Milk	12	0	0	„
Mustard oil	10	0	0	„
Coke	0	10	0	„
Kerosine oil	0	3	6	per bottle.
Manchester cloth, coarse quality	5	0	0	per pair.

When we look upon this picture and on that what do we find? We find that the price of every common article of food and clothing has, during the last five or six years, steadily increased till it has assumed proportions out of all keeping with the average earnings of a member of the *bhadralok* class, not to say of the common artisan or the labouring classes generally. And even at those prices we are getting, in the language of the poet, chalk and alum and plaster for bread. One cannot have prevision enough to forecast the economic future of this country; neither can one be so far blinded by pessimism as to despair of finding a sovereign remedy capable of successfully coping with the situation. The tide in the market has been so steadily and so surely rising that fears are, not without some show of reason, entertained by people whose faith in *kismat* is proverbially strong, that there is no authority potent enough to be able to pass the word of command : 'Thus far shalt thou go, and no further.'

It is at this juncture, my Lord, that we naturally seek the aid of writers on political economy. According to the most rational view of the acutest thinker among them the most plausible case for artificially cheapening a commodity is that of food. The desirableness, he adds, of the object is in this case undeniable. Fortunately for the people, Governments in European countries have studied to reduce the occasional high price in times of emergency. They

Babu B. C. Ray.

have done so, and have insisted upon the richer classes diminishing their own consumption, on the ground that if those classes buy and consume their usual quantity of food, and content themselves with giving money, they do no good. The country cannot be too grateful to Government for condescending to adopt such direct measures at the cost of the State as the importation of rice from Burma; but rice is not the only article of food of which the price has gone up beyond all reckoning. And the only remedy under the present most trying circumstances lies in opening depôts at District and Sub-divisional head-quarters and in large towns for the sale at moderate and controlled prices of the few articles of daily consumption. This course has, we understand, been adopted in Bihar, and we trust your Excellency's Government will pursue a similar course, and lead the van in the humanitarian work of averting a dire catastrophe which stares the whole country in the face. No one but a visionary would dream of a return of the good old days of Shaista Khan, when rice sold at eight maunds the rupee. We can nevertheless expect to see the passing of an ordinance prohibiting, for the nonce, the export of food-grains and the production of artificial dearness by what is known as monopoly.

In these circumstances and at this grave crisis the Province looks up to your Excellency's Government for such benevolent measures as may afford relief to the distressed millions committed to your charge. It is the world competition that has been their ruin—world-competition and all that it stands for. Few and simple are their wants—a handful of rice to appease their hunger and a strip of cloth to hide their nakedness.

In supporting the resolutions so opportunely moved by my friends, the Hon'ble Babu Surendra Nath Ray, and three other Hon'ble members, I beg respectfully to commend them for final adoption to the sympathetic consideration of the Hon'ble members of this Council."

The Hon'ble Babu Bhabendra Chandra Ray said :—

"My Lord, the distress prevailing in our country has already assumed such a widespread and acute character that prompt and bold action is urgently necessary on the part of the authorities. Since the first alarm was given by a scanty monsoon last year, we have witnessed a sorry spectacle of inaction in Bengal, except in certain areas where serious famine conditions prevail. The control of rice traffic is no doubt under the Government of India, yet it is difficult to say that the provincial Government have discharged their share of the responsibility with credit.

The first tangible sign of activity was the attempt to take a census of rice-stocks in Bengal in November last, which, though admitted to be disappointing and defective, appears to have been sufficient for the purpose of persuading the authorities that Bengal had surplus stocks of rice. As these census figures have not been published, we are not in a position to say how far this conclusion was justified. But it is perhaps this optimism of the local authorities that has led the Food-stuffs Commissioner to encourage export of rice in so large quantities from our province, with the result we all know. Even in February last, the Hon'ble Sir Henry Wheeler ignored that our enormous exports contributed in any way to the distress. He said, 'Nothing that we can do will remedy the factors making for high prices, namely, the failure of the crops due to a deficient monsoon and the decrease in the purchasing power of money.' But the blunder of the authorities in ignoring the third and a potent factor, namely, large exports to foreign countries, which was wholly preventible, has at last been indirectly admitted by the recent decision to cut down export, after it is too late.

My Lord, the non-official Indian members of this Council made repeate attempts to make your Lordship's Government recognise the seriousness o the situation, and suggested for their consideration several measures o general relief which have been tried with success elsewhere. But th authorities put forward very many excuses for their policy of drift and treate these suggestions with the usual disregard. In reply to a question of mine Government refused to suggest to the District Boards and Municipalities th desirability of opening cheap grain stores, a step which has been taken i some other provinces and several Native States to relieve the general tension And when later, I moved a resolution in connection with the financial state ment recommending that a certain sum should be placed at the disposal o the District Boards and Municipalities for enabling them to open cheap grai shops, I was told that it would lead to interference with trade, and furthe that the amount suggested would be insufficient for the purpose. But thi latter difficulty does not seem to have been altogether insurmountable, becaus Government could easily increase the grant if so disposed.

My Lord, it is a pity that your Lordship's Government should have under estimated the gravity of the situation, and failed to appreciate the difficultie of the people committed to their care. In February last, a graph wa exhibited in this Council showing the course of prices during the past few years for the purpose of consoling us with the thought that the prices of rice had not at that time reached the level of 1913 or 1915. This procedure betrayed a lamentable want of acquaintance with the circumstances of the people which have been so seriously affected by the long prevalence of war prices all round The authorities ought to have known better than to institute any comparison between the circumstances of the people in 1913 or even 1915, with those of 1918-19. The phenomenal rise in the price of cloth and other commodities has long exhausted the resources of the people, and the present scarcity o foodstuffs is indeed the proverbial last straw.

My Lord, we must tender our thanks to Government for their recent *communiqué* whatever it may lead to. But in order that any measures may be effective, they should be taken early, and in close co-operation with the people themselves. It is necessary that in such critical moments, the representatives of the people should have a potent voice in determining the course of action to be followed. I therefore support the proposal for the appointment of a committee to go into the whole question."

The Hon'ble Mr. Irwin said :—

"My Lord, in connection with this resolution I should like to say that I have it on excellent authority that about two months ago there were no less than 225,000 maunds of rice consigned to Bihar and Orissa accumulated at three stations on the Darjeeling-Kishenganj Branch Line, and the General Manager of the Darjeeling-Himalayan Railway himself told me that the Eastern Bengal Railway could not take over more than 4,000 maunds per diem. Thus it would take from 50 to 60 days to move the whole amount. Meanwhile some of the rice was rotting and some actually growing out of the bags whilst we in Darjeeling were crying out for supplies.

On top of this it is reported that the Food Controller of Bihar and Orissa purchased another 1,300 maunds at Matigara, a large bazar in the Darjeeling district and actually situated behind the stations at which the first mentioned quantity was lying rotting for want of transport. My Lord, I will not waste the time of the Council with any comment upon this."

Babu K. M. Chaudhuri.

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I do not propose to say anything about the export or import from outside India, as I know that Government have been doing all that can possibly be done. That owing to the paucity of supply there has been great suffering amongst the people for want of foodstuff is admitted on all hands. It is a question of demand and supply, and if the supply can be added by outside import, *i.e.*, importing rice from Rangoon, that can be done by all means, and Government will see of course how far the export from India can be controlled. But there are other difficulties within the province. I understand statistics are being collected as to what amount of supply there is in the country and how far we can depend upon it. We see from the newspaper reports that in every district of Bengal the supply is not sufficient. One precautionary measure should be taken in regard to the capitalists—the rice-dealers and the money-lenders. As in the case of jute, the jute-dealers gained much and as in the case of cloth the Marwaris made enormous profit, so in the case of rice the rice dealers and money-lenders are storing the paddy with a view to selling it at a high price in the market and thereby making considerable profit. In my district, Rajshahi, which is a paddy-growing district, this difficulty is felt there, and I telegraphed to Government to take immediate steps to control the supply and I also approached the District Magistrate on the subject. The Hon'ble Mr. Cumming was kind enough to pay a visit there recently and I also brought to his notice what could be done in that direction. In collecting the statistics great care should be taken to see how far the supply is available for general consumption and how far it is being stored by the capitalists—money-lenders. The cultivating class is entirely in the hands of the money-lenders during the rainy season. I know in my district paddy is being sold to the cultivators at Rs. 5 a maund and upon that interest is being charged by the money-lenders at 25 per cent. and that when paddy will be harvested in December and January the money-lenders will realize the whole thing, *i.e.*, the money value and the cultivators will have to sell the paddy, when it will be harvested, at a very cheap rate, and the result will be that they will have to pay more than cent. per cent. for the help they are now getting from the money-lenders. In fact for taking a maund of paddy they will have to pay more than Rs. 6 and perhaps at the harvest season for one maund of paddy they will have to pay nearly 3 maunds of paddy. I suggested to the Hon'ble Mr. Cumming that co-operative credit stores might be started and that loans might be granted freely. It has perhaps been brought to your Excellency's notice that in Naogoan the Co-operative Credit system has been started under Government patronage, and the middlemen and brokers have been done away with. A store-house has been built in every district, and *ganja* is being supplied direct therefrom and by this considerable profit has accrued to the *ganja* cultivators. We see almost all the necessaries of life are very dear, and it is certain that the purchasing value of money has decreased. How that can be increased it is for the Government to devise means. If the purchasing value can be increased it can be done only by Government, and all we can do by private agency is to advise the creation of co-operative credit societies and also the grant of agricultural and other loans. In the case of cloth and other things I think the arrangement that has been done at Naogaon for *ganja* can be easily done. Instead of supplying cloth to the market through the middlemen the mills can be encouraged to send supplies direct to every district store-house and the people may buy from there. So jute can be stored under co-operative system and it can be exported or supplied at a high price so that the dealers may not suffer on account of the low price. On the one hand the supply of money may be increased and on another the supply of necessities may be increased. The rice dealers are now purchasing paddy and controlling the price. If side by side co-operative societies can purchase with the help of Government or they can raise money amongst themselves or can borrow from Government or from other Co-operative or Central Bank

they can also purchase paddy and rice and can supply them at cost price In my district when I first approached the Magistrate I was told that if there were any capitalist he could be helped in getting facilities for importing rice from outside, and fortunately I secured the services of a Marwari gentleman who offered to purchase ten thousand maunds of rice and to sell it at cost price in the market and then I approached Government to help him in securing paddy from outside but unfortunately nothing has yet been done I think much can be done if the cultivators can be supplied with money under the co-operative credit system and I believe by this means they will be relieved to a great extent from the highhanded dealings of the money lenders. I am grateful to Government for the State help in Rajshahi on account of the flood, but something should be done for at least three or four months till the *aus* paddy grows during which the cultivating classes will be obliged to borrow money at high interest. If the market can be controlled as suggested I think much relief can be given. Of course I am not in favour of an inquiry by a committee. I think a conference may be held in which the matter may be discussed and means devised as to how possibly help can be rendered to the sufferers In that way a committee can render some help, but immediate action is necessary. Within two or three months the *aus* paddy will grow and I think the cultivators will be much relieved of the distress if something is done immediately. With these remarks I support the resolution."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, after all that has been said it is hardly necessary for me to take up the time of the Council by any lengthy remarks of mine, but having given notice of a similar resolution I feel that I ought to say a few words just to associate myself with what has fallen from my hon'ble friends as regards the necessity and the extreme urgency of devising some measures to afford relief to the people in the distressed areas. My Lord, I will confine myself with making only a few brief remarks. It is quite conceivable that cultivators as a class, having very little resisting power, would fall a ready victim to famine or be subject to dire distress in case crops fail or for some reason or other. I do not know, but this is my information, that it is not merely the cultivators but also the poorer middle class people who have been very hard hit during the present distress. A little consideration and rough calculation will give members of this Council an idea of the distress that has been prevailing amongst the middle class people of this Presidency Having regard to the fact that it is not merely rice but also other necessaries of life that have gone up in price, it can be easily calculated that it requires at least Rs. 8 or Rs. 10 a month for an individual to keep body and soul together Let us take the case of a family consisting of one man, his wife and two children. The figures works up to Rs. 40 a month in order that this family should live just from hand to mouth. Add to this the medical charges the prices of cloth and other necessaries which are very high, and it would be quite clear that the earning member of the family must have an income of at least Rs. 50 a month in order to be able to get on somehow Fifty rupees a month is an income which very few people in this Presidency can be said to possess. Therefore one can conceive of the distressful condition that these people have been reduced to with the high prices that is now raging not merely of rice but of other necessaries of life too. There have been authentic cases reported in which it is said that the heads of families feeling the distress and unable to provide sufficient means for their families have committed suicide. There are six such cases reported in the issue of the *Sanjibani* of the 26th June last over the signature of the President and the Secretary of the Ramkrishna Mission from the district of Bakarganj in a place called Bharakati about 14 miles from the district headquarters and from

Rai D. C. Ghose Bahadur.

one or two villages round about and within a radius of three miles from the Brahmanbaria subdivision of the Tippera district. There can be no doubt that these cases are authentic cases and I have reasons to believe that these cases are not very rare. It must therefore be admitted on all hands that the situation is certainly a very grave one and calls for some immediate help in order that relief may be granted to the people. The only question to be considered is one of ways and means. My resolution suggests that exports should be controlled and that greater facility should be given to imports, and I also suggested that Government might take such other steps as may be thought proper. My hon'ble friend, the Hon'ble Rai Radha Charan Pal Bahadur, has suggested the formation of a committee. I did not myself think that a committee should be formed. I am rather inclined to think that something should be done immediately and that deliberations of committees only entail delay. But if a committee be formed for taking immediate steps I would not object to the formation of a committee in view of the fact that the deliberation of the committee might enable us to co-ordinate the different points of view. Before I sit down I wish to say just a few words by way of an appeal to the Hon'ble Member who is in charge of the department. There is a well-known Sanskrit proverb that Kings see with their ears. That is to say that Kings do not generally see things with their eyes but depend on the report of others. If those who are interested would see with their own eyes the distress which is prevailing, no speech would be necessary on the part of the non-official members to convince the authorities that something should be done immediately. Every day is precious. We do not know, but there may be hundreds dying or at the point of death even at the present moment. I was told the other day of the case of a Hindu widow who would not certainly go out of her house to beg for alms. She was suffering from various diseases brought up by insufficiency of food and she was actually without food for three days. At the end of that time she was given two seers of rice but there was no body to cook for her. Some kindly persons came to cook for her and gave her a little to eat. After taking a morsel or so she became unconscious and it was with great difficulty that she regained consciousness after a full day. This is what is happening, and although I know that this problem is of an extremely complicated character involving world problems and our relation with other countries, I cannot believe that the ingenuity of the British Government cannot find a solution however difficult it may be. If Your Excellency will pardon me I consider it something of a disgrace to the British administration that famine condition should be almost normal in a land which is otherwise so bountifully supplied by nature. We know that just a century ago rice used to sell at 8 maunds per rupee. Even during the time of the much maligned Serajudoulla rice used to sell at 6 maunds per rupee. Now 150 years later, rice is selling at the rate of Rs. 10 a maund. There is no doubt that the population has increased but along with that it must be remembered that many waste lands have been brought under cultivation. There can be no doubt that there are greater facilities for exports and imports too. But there must be some cause which is to be found out and which really accounts for this extraordinary rise in prices. The price has risen sixty times and it cannot be explained by saying that the population has increased. The problem is one which demands immediate solution and the most earnest consideration and I beg that the Hon'ble member will take this matter into immediate consideration and afford relief to the famine-striken population."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"I am afraid I cannot contribute much to the discussion. But I may say at the outset that I do not agree with the Hon'ble Rai Radha Charan Pal Bahadur that Government should be pleased to appoint a committee to consider the situation. Committees would be of not much use at this moment.

Government cannot do much at headquarters, it has got to depend on its District Officers, and I believe they are trying to do their best. After all we must remember that the local Government has not much power to deal with the situation. Questions of fiscal policy and of export and import and of currency have to be dealt with by the Imperial Government at Simla. All that this Government can do is to inform the Supreme Government that the situation is such as may lead to something dire if it is not remedied now and it can only suggest some measures to alleviate the distress by stopping for instance, the export of food grains and of cloth and cotton. Some of us were born at a time when the theories of Cobden and of Bright had swayed the field and we were brought up in the economical theories of those days —economical theories which were preached to the world by John Stuart Mill —and I well remember that the Government of Bengal in 1865 failed in its duty by sticking to these theories. The people of certain parts of Orissa and Midnapore died like flies and I also remember that in the year 1881 the then Lieutenant-Governor of the province, Sir George Campbell, warned the Supreme Government that unless the export of rice was stopped, the Bihar famine could not be stopped. Sir George Campbell was somewhat in advance of his time and the Viceroy of the day, Lord Northbrook, a thorough free trader, would not listen to the proposal. He took measures and succeeded in alleviating the famine to an extent that not a single person was allowed to die of starvation. But this he was able to do after an expenditure of public money to a very enormous extent. Stories are told that shiploads of rice used to come up the river Hooghly from Burma to Calcutta and shiploads of rice to go down the river Hooghly to foreign countries because of the theories of the Supreme Government that we should not interfere with free trade. I believe, My Lord, that the course of events in the world has led the people in England to revise their theories and we in this country, I mean the people of this country, who have always been conservative in their ideas have found at least in some cases support from the Government, and it was much to be wished that the Government should push its ideas for the interference of free trade in preventing export for some period of the necessaries of life in order to protect its own people. We have been told in the *communiqué* of the Government issued in the middle of June by the Supreme Government that the export of rice is being allowed to countries where there are Indians who require rice for their subsistence. But I was not aware of the fact, as was stated to-day by the Hon'ble Mr. Surendra Nath Ray, that for that reason rice is being exported to Egypt and Sweden. I can well imagine that there may be a dozen or so Indian Mahomedans in Egypt, but I was trying to find out whether there are any Indians in Sweden. I recollect, however, that Mr. Har Dyal who has abandoned India and who is now issuing pamphlets and letters from Stockholm, requires rice for his sustenance. But the Indian Government is under no obligation to export rice to Sweden for his health and comfort. There may be other reasons for sending rice to Sweden and if that country requires rice for commercial purposes such as the preparation of starch or the manufacture of spirits, I think these operations might be stopped for some time, and we might put some obstruction in its way. I do not think that our international relations will be disturbed if we stop the export of rice to Sweden. We might look with an indulgent eye if the Indian Government placed an embargo on the export of rice to Egypt.

Then, as regards export of rice to other countries, I think that it is presumptuous on my part to say—and I do not pretend to have studied the subject thoroughly—but supposing we say that we require rice for our own subsistence, we cannot spare it, would it be an outrageous thing for the people of the neighbouring countries to say that we look for that food for our own subsistence and we must have it even if you have to deny it for yourselves? I do not think we should be doing a very outrageous thing if we stopped the export. We have not reached that

Rai Mahendra Chandra Mitra Bahadur.

condition of life which would make us obliged to undergo that amount of sacrifice and help our neighbouring countries. It may be that there are people of our kith and kin there, but they must look to the resources of the country where they have chosen to go.

As regards cloth I am sorry, My Lord, that I have not for the moment the figures, but they could be gathered from the last publication of the Government on the trade of India. I remember to have seen the figures, and I think the figures for 1917-18 showed that if we could only stop the export of cotton and cotton fabrics and if the port of Bombay were shut out against Japan, China and Africa, the situation would be eased in no time. Our relation with China and Japan is very friendly, but that is no reason—and I also know that Japan by her exports to this country during the time of war has helped us a great deal—why we should approach the point of nudity by exporting cotton and cotton fabrics to those countries. Indian cotton goes to Japan for manufacturing purposes, comes back here and is sold in the Calcutta market. That is a state of things which should not be encouraged and a very large proportion of mill products of Bombay go to China and Japan. If that is stopped, all the mill products will come to Bengal and it will ease the situation to some extent."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said:—

"My Lord, I beg to associate myself with the observations of the previous speakers. The rise of the price of rice, cloth and other necessaries of life is the subject of anxious thought by all who live in Bengal. I brought it to the notice of Your Excellency's Council and moved a resolution on the subject at a meeting of the Council held on the 19th February last, so I shall avoid repetition now. On that occasion Sir Henry Wheeler's reply was a lengthy one relating to the burning economical question of the day. My Lord, what is to be done now. Every body looks to Your Excellency's Government for help and intervention. At the present moment there is a cause of apprehension of actual scarcity, not to speak of famine, if the prices of foodstuffs are allowed to increase so rapidly. What is the solution of the problem regarding the sufferings of the poor, specially the persons on small fixed income? Your Excellency's Government can find out the remedy if the responsible members of Your Excellency's Council are determined to take effective steps out of genuine sympathy for the people. It will be interesting to quote a few lines from the District Gazetteer of Hooghly published by the Government of Bengal. The table below will give sufficient indication of the rise in the prices of food grains, the prices being shown in seers per rupee:—

Average of years		Rice (Common)	Wheat	Gram
		seers.	seers.	seers.
1793-1813 (21 years)	...	10·00	50·50	50·50
1861-1865 (5 „)	...	21·00	21·1	22·71
1866-1870 (5 „)	...	20·84	21·86	17·14
1871-1875 (5 „)	...	16·91	14·61	18·74
1876-1880 (5 „)	...	14·40	13·89	15·43
1881-1885 (5 „)	...	16·59	15·57	18·37
1886-1890 (5 „)	...	14·86	13·95	17·16
1891-1895 (5 „)	...	11·86	12·95	15·03
1896-1900 (5 „)	..	10·95	10·97	12·59
1901-1905 (5 „)	...	9·98	10·31	12·61
1906-1907 (2 „)	...	7·40	8·50	9·46

Rai Mahendra Chandra Mitra Bahadur.

These figures show that during the last half century prices have been enhanced three-fold. If further proof be needed of the change which has taken place, it will be sufficient to mention that after the famine of 1866, in which the average price of rice for the year rose to 12·86 seers per rupee, the Collector reported that if the price of ordinary rice were to rise as high as 13 seers per rupee soon after the winter harvest, it should be considered as a warning of approaching famine; and in his opinion, Government relief operations would become necessary when the price of inferior rice rose beyond 12 seers a rupee. During 1906 and 1907, however the average price of common rice was less than 7 or 7½ seers per rupee without any relief measures being deemed necessary.

Such interesting account may be found in every District Gazetteer of Bengal. Now, rice of coarse quality is selling 5 to 6 seers per rupee in almost all the districts of Bengal.

From the Estimates of Area and Yield of the Prinicipal Crops in India, published by the Director of Statistics to the Governmant of India, I find that in Bengal as well as India area under cultivation for rice and yield of rice have been increasing since 1914-15. It is an admitted fact that export is responsible for the shortage of food-grains in Bengal. This fact was proved by Sir George Campbell, the popular Lieutenant-Governor of Bengal, when famine broke out in Bengal and Bihar in 1873 and 1874 and when average price of rice was 11·82—28·55 seers per rupee.

Immediate steps should be taken by Your Excellency's Government for establishing shops for the sale of rice and other food-grains in every village or group of villages under the supervision of President of the Panchayet, members of the District or Local Boards, Circle Officers, Deputy Collectors and the Collector of the district at a cheaper price. The District Magistrates and Subdivisional Officers should be authorised by Your Excellency's Government to take over at an early date all stocks in possession of dealers who are suspected of hoarding food-grains and selling them at a prohibitive price. My Lord, there are other suggestions which have been made to this Council. Every one who is present here in this Council will have the candour to admit that the situation is very acute. My submission is that there ought to be co-operation between the people and the officials of Government. The people ought to approach the officials and submit their schemes in order to give immediate effective steps to relieve the distress which is prevailing here.

My Lord, I submit that there ought to be concrete propositions in which we can deal with this very important question in issue before the Council. If the suggestions of non-official members of Council are accepted, by the Hon'ble Executive Member of Your Excellency's Council, I believe we can be of some use to the agriculturists and middle class people. When I was coming to the Council Chamber, I was beseeched by a large number of people to represent to Your Excellency that the situation is very grave in the mofussil. I am perfectly aware of the distress and I am sure Your Excellency's Government is also aware of the fact. The question is what practical effective steps should immediately be taken for the purpose of alleviating the distress. That being so, the question, as the Hon'ble Maulvi Fazl-ul-Haq has stated, can be solved by the British statesmanship and British ingenuity. My earnest appeal is that something ought to be done to relieve the present distress.

On various previous occasions, I represented to the Council about the scarcity of cloth I wish I could give Your Excellency a vivid picture of the distress prevailing in the country. With these words, I beg to support the resolution."

Mr. Cumming.

The Hon'ble Mr. Cumming said :—

"Your Excellency, it is no easy task to portray in proper perspective the lights and shades of this complicated problem ; and therefore I must crave the indulgence of the Council while I sketch at some length the main factors in the problem, and indicate the direction in which, and the extent to which, a solution is possible. There is, I am afraid, some ignorance, and if I may say so, also some prejudice on the subject. Almost all the Hon'ble Members who have spoken to-day have practically forgotten that the British Empire has been involved in a colossal war. It is a problem, because the rise in the price of foodstuffs and the necessaries of life generally has been the subject of serious solicitude on the part of the Provincial Governments in India and of the Imperial Government; and further it is complicated, because there are so many factors, some fairly obvious, some not so obvious, some almost intangible, which govern the problem.

At the outset, I should like to say that Government are far from insensible, as has been suggested in certain quarters—though the Hon'ble Rai Radha Charan Pal Bahadur was anxious not to associate himself with the sentiment—to the serious effect which this great rise in the price of the main staple, namely, rice in this province has had on the poorer classes generally and on those of the middle classes on small fixed incomes. Indeed, I should like to take this opportunity of expressing, on behalf of the Government of Bengal, an appreciation of the patience and philosophy with which this serious invasion in the domestic economy of the people has been faced.

In the second place, I should like to premise that Government fully realise the importance which members of this Council assign to the necessity of appealing to Government to do everything possible to alleviate preventible suffering ; and to-day no fewer than four resolutions have been tabled for the purpose of the discussion of measures for that end. The remarks of my Hon'ble colleague, Sir Henry Wheeler, at the discussion in February last have already been repeated and I need not recapitulate them. Suffice it to say that after the discussion in February last in this Council there has undoubtedly been a further increase, both sudden and serious, which cannot but result in hardship all over the province. The mean provincial rate has become higher than at any time during the war. There was also a public discussion in the Calcutta Corporation, with which Hon'ble members are fully acquainted, and as the result of which the Bengal Government were requested to address the Government of India on the difficulties of the present situation as regards the price of rice and other foodstuffs and to suggest the need of taking measures whereby the existing prices might be reduced by such means as might be devised under the circumstances. Before, however, receipt of this resolution of the Corporation, the Government of Bengal had already taken action for the purpose of representing the position in this province and for the purpose of obtaining some amelioration by the reductions in exports and by the increase in imports, which by the way forms the subject matter of the fourth of these resolutions. The Government of India, I am glad to say, met the Bengal Government in this matter, as was publicly stated in a *communiqué* which was issued on the 14th June. It so happened that shortly before that, the Government of India had issued another *communiqué* regarding another subject, namely, the export of grains from India generally to foreign countries : and there was a discussion in the Press not only on these two *communiqués* but on the reply of the Bengal Government to the Corporation Possibly there has been some misapprehension in the minds of the public as to the exact purport of these various announcements.

These four resolutions refer to rice and other necessaries of life and to cloth : but the most important element is the increase in the price of rice. It is *the* question of the day. I shall confine my remarks therefore to this subject. There is too great a tendency to consider the problem as a purely local problem. I shall explain, to the best of my ability, the various factors

which govern the situation. There are no fewer than three main categories : *first*, universal, that is to say, world-wide factors ; *secondly*, all-India factors ; and *thirdly*, provincial or Bengal factors.

First of all, we may consider universal factors. I fully agree with the Hon'ble Mover of the resolution that it is no consolation to tell the people who have to pay more for their food that there are such ; but it would be foolish to ignore them. It was emphasised by Sir Henry Wheeler in February last that increase in price was not solely a provincial matter, nor even an all-India question. This was also emphasised in reply to a question at the meeting of the 27th March 1919. It was then said that many factors were involved, including supplies, monsoon and labour conditions, freight and tonnage. Now these factors were obviously more than local and concerned the world generally. It requires more time than I have at my disposal to deal adequately with all possible world-wide causes ; but there are two which are obvious and outside the control of this Government. There is in the first place the amount of shipping available in the world ; and secondly, the existence of credit currency throughout the world. As regards the former, the tonnage of the British Empire is one-fifth less than it was at the outbreak of war ; while much of it is still absorbed in purposes connected with the war and foreign to the ordinary course of trade in which it would be otherwise engaged. As regards the latter, a leading professor of political economy has stated publicly that the cause of the general and rapid rise of prices is the immense creation of credit currency in all the principal countries of the world through the measures taken to finance the war, now happily at an end. It may be shortly stated that the paper currency of all the belligerent countries has been increased nearly six-fold, and has been principally employed to pay for articles of an unproductive nature. Here, in India, as calculated by the professor, the increase in the circulation of currency notes has been 135 per cent.; and the increase in the number of rupees in circulation has been 33 per cent. and if the two be taken together, the total circulation in India has increased by 53 per cent. India has been in a peculiar position during this great war. India became the cheapest source for many raw materials, while imports fell off for various obvious reasons, and the result was an enormous balance of trade in favour of India. In order to meet this enormous increase, recourse had to be had to a similar enormous expansion of paper currency. Here then we have in the inflation of currency a world-wide cause for the increase of prices, affecting the whole of India with the rest of the world. I place on the table a comparative statement showing the rise of prices of foodstuffs in all the important countries in the world.

Statement of percentages of rise in the prices of articles of food in different countries.

Countries	Percentage rise since July, 1914
Sweden	... 234 (February, 1919).
Norway	... 175 (December, 1918).
Vienna	... 173 (August, 1917).
Portugal (Lisbon)	... 151 (May, 1918).
Italy (Rome)	... 149 (November, 1918).
France (Paris)	... 148 (January, 1919).
Switzerland (since June, 1914)	... 139 (March, 1919).
Berlin	... 111 (November, 1916).
United Kingdom	... 107 (1st May, 1919).
Holland	... 103 (December, 1918).
Denmark	... 86 (January, 1919).
Canada	... 81 (February, 1919).
United States	... 69 (February, 1919).
New Zealand	... 45 (January, 1919).
South Africa (Cape Town) ...	... 42 (November, 1918).
Australia (Commonwealth) ...	... 35 (December, 1918).
India (unweighted) ...	... 57 (End of April, 1919).

Mr. Cumming.

I am indebted for this to the courtesy of the Director of Statistics with the Government of India. This I leave to Hon'ble members to study for themselves. The rise in India is the least in the world with the exception of South Africa and Australasia, while the rise of prices of food in Great Britain has been nearly double that in India. These are two very significant facts to be deduced from these figures. It is not my province on the present occasion to deal with the suggestions that have been made to correct the situation, whether in the nature of export duties or alteration of the rate of exchange. All I wish to maintain before this Council is that there are very serious limitations to the power of the Local Government in dealing with causes acting outside its borders.

Turning now to the second category of factors, viz., the all-India factors, we find that they centre round the monsoon conditions of the last two or three years. It is known that there was an extensive and premature cessation of last monsoon in September last ; and the rice crop of India and Burma was consequently 34 per cent. less than that of the previous year, while in addition to that there was a failure of other food crops. We find that five districts in the United Provinces, four districts in the Bombay Presidency, two districts in the Central Provinces, one district in the Madras Presidency and one in Bengal are under regular famine relief; while in many other districts throughout India in which scarcity conditions prevail, assistance is being given of various kinds. In areas in which there is only one winter crop, no relief can be expected until next cold weather ; while in the other districts in which a spring or autumn crop is reaped, the alleviation will not be such as to bring about instant relief. Let us hope that through Providence there will be a good monsoon this year. In our own province, the prospects of the *aus* or autumn paddy crop are on the whole fair. There are however tracts in India in which, but for outside assistance from other provinces more fortunately situated, the people would starve ; for it is not only a matter of giving the people money wherewithal to purchase food, but it is also necessary to provide food for them to purchase. We have on the western edge of Bengal, the province of Bihar and Orissa, in which the failure of the winter crop was very much more severe than in Bengal ; the crop was only half of the previous year ; and, unless the people of Bihar receive foodstuffs from without, their position will be critical. On the other side, we have Assam ; and the Assam Administration has recently proposed to make a working arrangement with this Government regarding the conditions under which supplies from Assam may enter Bengal. That province is also in a difficult situation, though its prices are lower than in Bengal ; and it is relevant to note, when the suggestion is offered, that Bengal should refuse to export to other provinces, that Assam too is apprehensive as to the quantities of paddy which Bengal is taking from it. Again, rice is not the only food-grain, and for other food-grains Bengal is largely dependent on outside, namely, from the up-country districts. If Bengal were to be permitted to adopt the policy of the absolute prohibition of export outside its limits, it is obvious that other provinces would speedily seek to retaliate. Suppose we stopped the export of rice to Bombay, Bombay might easily refuse to give us any cotton. What would Hon'ble Members then say?

In November last year, an attempt was made to obtain an approximation of the extent to which the different provinces of India were deficit or surplus provinces. From that examination, one factor stood forth that, notwithstanding the bad harvest of 1918-19, Bengal and Burma would have to be considered as surplus provinces. Hon'ble Members of Council are aware that a Foodstuffs Commissioner for all-India was appointed in October last year. His control covers wheat, rice and gram. His representatives are the Directors of Civil Supplies in all the provinces. As stated in the recent *communiqué* of the Bengal Government the general principle which is being adopted is that supplies of rice are being directed from the provinces in which stocks are still available to those provinces in which, but for outside help, actual shortage

of food is feared. This, therefore, must be remembered that the problem of food and of prices is an all-India problem which must be dealt with, if at all, by means of central control. It should not be overlooked that even as regards prices, generally speaking, Bengal is not so badly off as Bihar, the United Provinces, the Central Provinces or Bombay, that is to say, the price in the dearest district in Bengal is still less than that in the dearest district in any of these four provinces.

Another consideration in connection with all-India factors is the amount of Indian foodstuffs exported out of the whole country. It is not true, as is alleged, that there has been a recent increase. On that point, the actual facts as recently stated by the Government of India—though the Hon'ble Babu Surendra Nath Ray refuses to accept this statement—may be repeated, namely, that since December last all exports of food supplies are prohibited except under license, and then only in respect of shipment to certain countries with a considerable Indian population which in the past have depended on India as the nearest source of supply. I shall deal with the matter of exports in greater detail when discussing local, that is to say, Bengal factors, which I shall now proceed to do. Moreover, the absolute total shows a great decrease: in April 1919 the total export was one-fifth of that in April 1918.

In the case of Bengal, it should be re-emphasised that the world-wide and all-India factors still hold good; but there are obviously other factors of local importance. The first is regarding the actual monsoon conditions of the last two years. In 1917, the monsoon was favourable and it resulted in one of the finest rice crops in Bengal on record. This has been of inestimable advantage in compensating for the failure of the following year. The cheap rice of 1917 was of great assistance to the poorer classes who live on their earnings; but obviously it was of corresponding disadvantage to the agriculturists who received less money for their produce. Then followed 1918, when, as I have stated, Bengal participated in the precipitate failure of the monsoon. The final forecast of the rice crop of 1918-19 was 72 per cent. that is to say hardly three-fourths of the normal crop, and at the nearest approximation may be taken as 19 crores of maunds. In November 1918 orders were issued to ascertain by means of a census what was the stock of rice available in the province, including unhusked paddy which was converted into rice at the rate of 62½ per cent. That census gave Government some material; but as it was the first of its kind, difficulties were encountered and some of the district estimates were patently incorrect. They showed for instance in one district that it had not enough for a week's consumption; and, as that district is not yet starving, there was an obviously something wrong somewhere, either on the part of the dealers who furnished the information or in the subsequent collation of the figures. A further census was ordered at the end of May last to be taken on the 15th June. The figures are at present under scrutiny; but as far as they have been examined they give reasonable grounds for holding that there is not yet a provincial shortage in Bengal. Now, it is not true, as has been asserted, that in Bengal in normal years there is a deficit. There is a considerable, though not a very great, surplus in normal years.

Further local factors are exports from and imports into the province. Now the Bengal Government have by means of a continuous close survey over all the relevant features of a constantly changing situation kept the Government of India regularly informed; but have recognised that the Government of India were in a much better position to judge of the respective needs of all the provinces than the local Governments. When the time seemed ripe, a representation was made to the Government of India regarding the allotments for exports of rice from Bengal, both to other provinces in India and overseas and regarding the imports from Burma. As a result of this representation, the Government of India have reviewed the situation and have materially

decreased the monthly allotment made for exports of rice by rail to other provinces. An allotment of Burma rice was made to Bengal *viâ* Calcutta, while arrangements were made for the import of rice from Akyab in Burma to Chittagong in Eastern Bengal for the use of Eastern Bengal and Assam. The general effect of the control of supplies has been the stabilising of prices; and, indeed, the Bengal Government have always realised that there was a better chance of stabilisation if there was a sufficient fluidity in the movement of stocks whether inside or outside the province. The advent of the monsoon, the census of stocks and the recent reductions in exports have tended to check the rise in prices. In this week's crop report, Hon'ble Members will find it stated that the average price of common rice is now showing a slight tendency to fall. At the same time, one must never lose sight of the fact that supplies alone are not the ultimate cause of the prices now prevailing, although obviously they are a factor of great importance.

Before passing on from this head and dealing with other measures of relief within the province that have been either adopted or suggested, I should like to controvert certain allegations that have been made as to the prevailing factors. First of all, it has been alleged that the rice crop in Burma this year was a bumper one. This unfortunately is not true. Far from it being a bumper crop, the average outturn of the whole province was 88 per cent. of the normal, as against 95 per cent. in the previous year; and the surplus available for export was less than 2 million tons of clean rice. This is the surplus for which the greater part of India has been clamouring.

The next allegation is that there has been an improper diversion from Bengal of rice to foreign countries by sea. It is true that there has been an increase in export by sea to Madras since January last, but this has been to feed Indian fellow subjects in another province. As this was sea-export, it was not covered by the licenses issued regarding railway transport. These unlicensed exports by sea are however being brought under control. But, as regards exports to other countries overseas, the most important recipient is Ceylon, which usually obtains its rice from the southern districts of Madras: but at present that Presidency is not in a position to supply its own requirements, still less to meet those of others. Even in Ceylon, notwithstanding this assistance, the shortage of rice is creating an anxious situation. After that, the exports from Bengal are to colonies of Indians in Natal, Mauritius, the Red Sea and the West Indies; the volume of these exports has been carefully rationed; and the grand total in 1918-19 was less than half of what the normal annual export to such foreign countries was before the war. It is not true, as has been alleged, that Bengal is improperly diverting its foodstuffs for purposes other than human consumption. I mention this because there have been several assertions to the contrary, and indeed there has been a ridiculous rumour in the Mymensingh district that 6 crores of maunds of rice have been sent to Europe for the manufacture of alcohol.

A further allegation has been made that no Burma rice has been allowed to be consumed in Bengal. It is not quite clear what inference is sought to be drawn from this allegation. It is not unreasonable to imagine that the innuendo is that Bengal is being unfairly treated. Now, it is quite correct that there are imports of rice from Rangoon into Calcutta which are reserved for other provinces. These allotments have, however, been made after careful consideration. It is, however, incorrect to allege that no Burma rice has come into Bengal for purely Bengal consumption. On the contrary, there has been a steady increase in imports from Akyab into Chittagong. The total in February was double that of January; in April three-fold that of January and in May fourteen-fold that of January. The question of further imports into Chittagong from other ports in Burma is also under consideration.

There are other allegations which have been made which, if I had time, I should be glad to refute; but let it suffice on the present occasion to deal with these three instances of inaccuracy.

Let us now consider, in view of these factors, universal, all-India and local, what Government should endeavour to do to maintain prices so far as these are governed by supply. It is the accepted duty of Government to protect the people within the limit of their capacity. In India, there is not only an acceptance of official control but a desire for the same. If that be conceded, then what policy should Government adopt? There are practically only two alternatives—one alternative is to allow one province to starve and another province to continue in tolerable comfort; and the other alternative is to make the best use of the food available for the greatest good of the greatest number. However some people may write or think about stopping all exports from Bengal, I do not believe that any person who is aware of the facts and has examined them with any sense of responsibility would hesitate for a moment between the two alternatives. It is the second alternative which the Government of Bengal have deliberately adopted, and the Bengal Government have, as far as possible, while safeguarding the interests of the province, been loyal to the policy of the Supreme Government.

There are however certain devices which have been suggested in addition to an equitable division of the supplies available. The one which is mentioned first of all by some advisers is the fixation of prices for the different kinds of rice. It sounds so easy, and yet it is so supremely difficult to enforce, unless the source of supply is also subject to control. Now, this is the case in the matter of Burma rice imported into Calcutta under license. The supply is subject to control and such rice can only be sold subject to certain maximum wholesale rates; otherwise, the importers will not be allowed to get ships to bring the rice here; and steps have also been taken to regularise the retail rates. In this manner, one of the proposals about the control of Burma rice made this morning has been met. On the other hand, the case of Bengal rice is entirely different; chiefly because it is really impracticable to control the source of supply. Indeed, I may say that, whatever success may have been achieved elsewhere in small areas with specific articles of food, both the Local Government and the Government of India are satisfied that the fixing of prices for all kinds of food stuffs in Bengal, even if resort were had to the rules under the Defence of India Act, is not practical politics.

Another device (and it is a measure of self-help which the Bengal Government welcome, just as the Bombay Government have done lately, and would gladly see extended up to the limit to which Government can obtain an allotment of Burma rice for Bengal) is one which has been adopted in other provinces, namely, that local bodies, such as District Boards and Municipalities, should obtain supplies of the cheaper Burma rice, and thereby cause grain to be sold in what are known as cheap grain shops. The Director of Civil Supplies has been in consultation with the District Officers regarding the requirements of different bodies. So far only a few local bodies have asked to be supplied with comparatively small amounts.

Furthermore, in the city of Calcutta, this method has been adopted by the Corporation; and six shops for the sale of Burma rice were opened on the 17th June. The daily sales have averaged the comparatively small total of 72 maunds; but it must be noted that all the shop expenses are borne by the merchants who forego all profit.

Mr. Cumming.

The Darjeeling Planters have acted co-operatively and obtained, on behalf of their large immigrant coolie population, an allotment from the Director of Civil Supplies of Burma rice. The Hon'ble Mr. Irwin did not draw the attention of the Council to this fact. But, as regards the incident to which he did draw attention, it is a matter under the jurisdiction of the Bihar and Orissa Government which deals with the district of Purneah where this incident took place. The Collector of Bankura, where famine has been declared, procured an allotment for his district. It is urged that Burma rice should still be freely imported into Bengal. It is, however, a significant fact that, when there is, as there is at present, a considerable supply of Burma rice in Calcutta, no one in Bengal is prepared to take it up in any appreciable quantity because the demand is so weak. The reason why Bengal rice-eaters have an objection to consuming Burma rice is known better to the Indian members of this Council than to one who is not an Indian by race.

The Foodstuffs Commissioner, at the special request of this Government, has been endeavouring to meet a point which was raised this morning, namely, to prevent the artificial inflation of the price of Bengal rice through unnecessary competition amongst upcountry buyers from other provinces.

Then, as regards the question of freight from Rangoon, about which comments have been made in the Press, there have been already two reductions since the freight was first fixed, the last being an equivalent of 2 annas per maund on the cost price landed in Bengal; and indeed the Rangoon-Calcutta freights compare very favourably with the rates at present prevailing throughout the world.

Finally, in order to meet to some extent the increased cost of living, Government have increased the emoluments of the lower-paid among its own servants; both in the case of menials, and, as stated in a *communiqué* issued within the last few days, in the case of Government servants of the lower ranks.

These, then, are various forms of action which have been taken, or are being taken, to check the rise in the price of rice and to alleviate distress.

The present position appears to be that there is still a supply of rice in Bengal sufficient to carry on until the next harvest, even after giving reasonable support to the less favoured provinces. Moreover, the high prices are not altogether an unmixed evil; for some portion of the increase has been received by the agriculturists; and later reports show that the agriculturists are alive to this advantage in disposing of their stocks at their appreciated prices. That being so, I would ask the people not to give way to panic; but, on the other hand, it stands to reason that Government will not tolerate in special circumstances like the present anything like deliberate holding up of supplies for the purpose of cornering the market; and the officers of Government will not hesitate to take action if such instances are disclosed. Both in the city of Bombay and in certain districts of Bihar and Orissa, powers have been taken under Ordinance IX of 1914 to seize stocks.

I have left to the last the suggestion of the Hon'ble Rai Radha Charan Pal Bahadur that a Committee of officials and non-officials be appointed to consider the remedial measures already taken or in contemplation by Government, and to devise what further steps, if any, should be taken to alleviate the present distress. I notice with surprise that only one Hon'ble Member wholeheartedly supported this motion. The Hon'ble mover no doubt thinks that his proposal would allay public feeling in the matter. I can say personally that I am always accessible to any member of the public in this matter and prepared to discuss matters and receive suggestions. But I venture to suggest to the Hon'ble Member that as long as the present organisation under

the Foodstuffs Commissioner exists, it is not possible to act otherwise than through those officers who are his representatives in the provinces, namely, the Directors of Civil Supplies. That being so, I also suggest to the Members of the Council that there is little that a committee of the nature proposed could ascertain in the way of facts beyond the salient facts which I have endeavoured to describe. As regards policy, it is, as I have stated, a matter for the Imperial Government; but I also say deliberately that the local Director of Civil Supplies is, in his capacity as executant of that policy, at present in close touch with the importing and distributing agencies of the trade.

This, My Lord, is the attitude of Government. They are not insensible to the sufferings of their lieges, and appreciate the seriousness of the situation. They are not omnipotent, but they have taken and will continue to take such action as lies within the power of a provincial Government to deal with the situation, so many of the ingredients of which are entirely beyond their control. In the circumstances, Government are not prepared to accept the first resolution; but on the definite understanding that the action of Government is limited by the various extra-provincial factors which I have endeavoured to narrate and also by the execution of the policy of the Government of India the Local Government will accept the second, third and fourth resolutions.

My Lord, I have finished. I apologise for having taken so much time of this Council, but the fact that no fewer than four resolutions were the subject of reply is my excuse."

[The Council was at this stage adjourned for lunch.]

[The Council re-assembled after lunch.]

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I am much obliged to the Hon'ble Member for his giving so much valuable information on the subject. That the subject is agitating the public mind is evidenced from the fact that a number of resolutions on the same question appear in the agenda paper and therefore the reply that has been given to us and the information that has been supplied to us will be very interesting to the public at large.

I will confine myself to the resolution which I have moved. My Lord, I do not know whether I have made myself perfectly clear. I recognise that Government are in their own way doing everything that they possibly could do under the circumstances, but there is an impression abroad and it is confirmed by the observations made here by some of the Members of the Council that more might be done in this direction and that the various suggestions which are made by the outside public from time to time should be more fully considered by Government. My object in moving for an advisory committee is not to hamper the Government or to restrict their action in any way, but as I said to establish a sort of common ground where the public might meet the Government and exchange their views on the subject. It will be purely an advisory committee and if the suggestion seems to be practicable I think the Government may very well consider whether it harmonises with the principle laid down by the Government of India and, if necessary, to address the Government of India on the subject for the modification of their instructions. It is with this view that my resolution has been moved. The Hon'ble Member has said that he is always accessible and that anybody may approach him and speak to him on the subject. We all know that the Government from the Governor downwards is accessible to the public, but that is not the point. What I want is that Government should discuss this subject with the representatives of the public. Discussion by an individual officer with an individual member of the public is quite a different thing. Various suggestions have been

Rai R. C. Pal Bahadur.

made by the various members of the Council, but I venture to think that it will shorten discussion if we have a sort of a committee appointed to discuss the whole matter with Government. Otherwise I am afraid that other suggestions will be made in other meetings of Council and the discussion will never cease, whereas if a committee is appointed the work will be much better done and the various suggestions could be considered. The Hon'ble Mr. Cumming has referred to several points to one or two of which I shall make a reference. It has been stated that we are better off here than the people in the other parts of the world and that we are importing rice from another province, namely, Burma. At a Corporation debate it was stated that the freight from Burma is still very high and it can conveniently be reduced. If this is done, rice will be sold at a much cheaper rate than it is sold now. Moreover it is not understood why Burma rice should be selling somewhere between Rs. 6-8 and Rs. 7 in Calcutta whereas it is selling at Rs. 5-11 in Bombay. There is another point in regard to this which I should like to mention and which has already been mentioned in *Capital*. At present the entire carrying business from Rangoon to India is done by the British India Steam Navigation Company. No other company is allowed to do the carrying except the Nippon Yussen Kaisha which is so allowed because it has connection with the British India Steam Navigation Company. This Company alone should not be allowed to make good war losses at the expense of the Indian poor. If other companies were allowed it would perhaps have the effect of lowering the freight and with it the price of rice. I have been specially asked by a mercantile gentleman of Bombay to draw the attention of the Council to it. Something should be done in regard to it. I quite recognise the force of the point that if we stop exports the other provinces might also follow suit. That is not of course the policy which has hitherto been followed. When Madras wanted rice we gave them and when Bengal wanted rice Burma supplied. What I mean is this—why export rice to places where there are no Indian population and where it is not wanted for the purpose of food. Why send rice to Sweden where there is no colony of Indians? Why export rice to other places where it is used for the manufacture of alcohol, etc.? Government are in possession of more facts than we are, and it is for this purpose that we want an informal discussion in a committee. There is a growing volume of public opinion about the matter and that is why I have suggested the formation of an advisory committee, which is not, I may say, my own suggestion, but a suggestion made by a European member in the Corporation."

Resolution No. 15 was then put and lost.

The following three resolutions standing in the names of the Hon'ble Babu Surendra Nath Ray, the Hon'ble Maulvi Abul Kasem and the Hon'ble Maulvi A. K. Fazl-ul-Haq, respectively, were then put and agreed to :—

"This Council recommends to the Governor in Council that early steps be taken by the Government for the reduction of the high prices of rice and other necessary articles of food, and also of cloth, in Bengal."

"This Council recommends to the Governor in Council that in view of the fact that there is a scarcity of food grains in the Burdwan division and that the prices of foodstuffs and other necessary commodities of life have risen abnormally high, steps be taken for the relief of the distress of the people, particularly of the poorer classes in rural areas."

"This Council recommends to the Governor in Council that measures be taken at once by the Government to bring down the prices of rice and other necessaries of life to normal rates, either by controlling exports or facilitating imports, or by such other means as may appear to the Government to be fit and proper."

LIST OF BUSINESS—ITEM No. 19.

The Hon'ble Babu Surendra Nath Ray moved the following resolution :—

This Council recommends to the Governor in Council that the Government be pleased to take up the question of the improvement of the pay and prospects and terms and conditions of service of the Subordinate Civil (Executive) Service in Bengal as early as may be practicable.

He said :—

"I am certain nobody knows better than the Government of the good work efficiently done by the members of the Subordinate Civil Service inasmuch as these public servants work direct under what I may term the executive Government of the country. Formerly the members of this service were generally recruited from those who were not successful in securing a place among those who were successful in the competitive examination for the Provincial Executive Service. For some time past, however, the matter of recruitment for the service has quite changed and we now have the same sort of test for both the services, only those who are in a position to canvass hard can enter the Provincial Executive Services whereas those who are not in a position to do so have to rest satisfied with appointment in the Subordinate Civil Service. It not unfrequently happens that better qualified men are nominated by Government for the Subordinate Civil Service.

I need hardly say that in education, social position and other qualifications they are now not inferior to those who are fortunate enough to be nominated for the other service. Formerly the test before and after appointment was not the same. Now they have to undergo the same examination before and after appointment and have to perform almost the same work whether as Judicial or as Revenue officers. I know a sub-deputy collector as land acquisition deputy collector had to do the same work as a deputy collector on a pay of Rs. 700 or 800. I need hardly say that the distinction between the two services is at the present moment only as regards their pay and prospects. A sub-deputy collector reaches his first grade of Rs. 250 ordinarily in 15 or 16 years at least, that is, when he passes his 40th year and is considered not legible for promotion. The age limit bars the way to further promotion. Even when he is promoted to the Provincial Service his prospects do not generally appreciably improve, the pay of the 1st grade sub-deputy collectors being Rs. 250, the pay of the last grade of deputy collectors is Rs. 250. A first grade sub-deputy collector when he is appointed in the Provincial Service becomes a probationary deputy collector and is put at the bottom of the list of probationary officers. It takes a good long time for him to rise to the grade of Rs. 300. There are very few who can hope to rise to the grade of Rs. 400.

As a result of keeping the two services separate Government have been obliged to take recourse to certain anomalous procedure. Take for instance, a sub-deputy collector is liable to be dismissed even without any formal judicial or departmental enquiry. A sub-deputy collector is even not a gazetted officer. This fact affects a sub-deputy collector in regard to his travelling, halting and other allowances as well as his leave and pension. But he has all the same to perform all the duties of a gazetted officer.

I need hardly say and it is a well known fact that the pay of sub-deputy collectors is quite inadequate. A police inspector begins with a pay of Rs. 150, an excise inspector on Rs. 125. They get special rate of travelling allowance, whereas these hardworked officers of Government have to begin with a pay of Rs. 100.

Maulvi Abul Kasem.

It is unnecessary for me to quote at length the large number of opinions given on this service by some of the distinguished members of the Indian Civil Service. The Hon'ble Mr. Stephenson stated before the Public Services Commission : 'The class of men who enters the Subordinate Service differs very little from the Provincial Service recruits.' Sir William Duke said 'I admit the officers appointed in recent years have very often been of much the same class as those who entered the Provincial Service.'

The Public Services Commission did not consider the Subordinate Service as it was not within the scope of their enquiry. They however recommended that members 'of services recruited from the ordinary graduate class' should start on an initial pay of Rs. 250 which in 15 years would rise to Rs. 450 by triennial increments of Rs. 40 after which it would rise to Rs. 500 by a triennial increment of Rs. 50 beyond which there would be selection grades and this is the words of one of the members of the Commission 'should be regulated as the minimum which shall be granted'. In the Report on the Indian Constitutional Reforms we find the following recommendation :—

'Again a number of grades do not now receive provincial status although their officers are recruited on uniform qualifications for the whole province and may be liable for service in any part of the province. From this point of view, such classes as the naib tahsildar (the same as sub-deputy collectors), the sub-assistant surgeon, and the like, may be conveniently placed *ad hoc* in the provincial division.'

I understand recently a representation has been submitted to Your Lordship's Government by some sub-deputy collectors. I need hardly say that the representation will be duly considered on its merits. For my part I think it is time that the Provincial Executive Service and the Subordinate Executive Service should be amalgamated. The Government should at least generously consider the position of these worthy officers whose claims are in no way inferior to the higher public servants. When they perform the same duties as those who enjoy higher emoluments it is but just, reasonable and proper that the Government should as regards pay and prospects treat them with the same even hand it has always distinguished the British Government in their treatment of those who serve the public cause with heart and soul."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am sorry that I cannot support the resolution which has just been moved by my friend the Hon'ble Babu Surendra Nath Ray, not because I do not sympathise with the sub-deputy collectors who are a set of hard-worked officers ; but the reason why I oppose this resolution is that the time is not opportune to consider the question of the pay and prospects of the Subordinate Service individually as a class only, because great administrative changes are imminent and the question of the pay and prospects of the various services will be considered. There are other classes of public servants of the same category as the sub-deputy collectors, I mean the excise inspectors and other subordinate officers of Government. If any class of public servants require any amelioration in their condition, in my humble opinion it is the ministerial officers of the Collectors' and Magistrates' offices and of the District Courts in the mofussil, who are so ill paid that they find it extremely difficult to make their both ends meet. When the whole matter of public services will be considered as a general question, it is not fair to say that the question of the pay and prospects of sub-deputy collectors should be taken up separately. I agree however with the hon'ble mover that, as the sub-deputy collectors do the same class of work as deputy collectors, there should be only one class of officers, but as long as they are in the Subordinate Service their case should be taken up together with

that of other services. In my humble opinion, however, the case of the ministerial officers should be taken up before the case of the Subordinate Service is taken up."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I do not understand why this resolution is opposed by my friend, the Hon'ble Maulvi Abul Kasem. It is a very anomalous thing that although these officers are made to do the same kind of work, there should be any distinction between the two services. The lowness of pay has a very demoralising effect upon the service. The sub-deputy collectors on Rs. 100 have to maintain the dignity of a *hakim*; and it can be easily imagined that it is an utter impossibility. In point of education, social status, and departmental examination, there is no distinction; but distinction is only in the pay and prospects. They begin on Rs. 100 and rise up to Rs. 250; and that is very inadequate in view of the fact that they are made to do the same kind of work as the deputy collectors who begin with an initial pay of Rs. 250. It is urged by my friend the Hon'ble Maulvi Abul Kasem, that the distinction should be abolished and that there should be the same scale of pay and the same prospects; but as long as they are in the Subordinate Service their case should not be considered separately. I fail to understand the sequence of their observation. But I heartily support the resolution and urge that the question should be taken up as early as possible. I may submit that before the Public Services Commission, several members of the Indian Civil Service urged that there should not be any distinction between the two services and that there should be the same kind of pay and prospects for the Subordinate and Provincial Services as a whole. That is a very reasonable view, and when the case of other services, or rather the case of persons for whom there is not so much urgency is considered, I do not see any reason why the case of these hard-working officers should not be taken up as early as possible. With these observations, I join in supporting this resolution."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I beg to support this resolution. At the last Dacca session, the matter was the subject-matter of discussion; and I do not like to trouble the Council by repeating the arguments which I then advanced. In educational qualifications and in responsibility, the sub-deputy collectors are of the same status as the Deputy Collectors and I cannot persuade myself as to why there should be any difference between these two classes. My humble submission to the Council is that the Provincial Service and the Subordinate Services should be amalgamated into one."

The Hon'ble Mr. Kerr said :—

"My Lord, all that this resolution asks us to do is to take up, as early as may be practicable, the question of the improvement of the pay and prospects and terms and conditions of service of the Subordinate Civil Service. That Government is quite prepared to undertake to do; and, indeed, as I shall show, quite apart from this resolution, action of this kind will in any case be forced upon us at an early date. I should have been very glad this hot afternoon if I could sit down after merely undertaking to accept the resolution on behalf of Government, but in the course of the discussion to-day and in the representations which have been referred to in this discussion, certain claims have been put forward on behalf of the Subordinate Civil

Mr. Kerr.

Service. I might call them extravagant claims; at any rate, they are claims which Government could not accept without qualification. It would only give rise to false hopes, if I passed these claims by without saying anything about them, and I will, therefore, give as briefly as posible, a history of the service and an account of the functions which it is called upon to perform.

The Subordinate Civil Service was created in 1873 in order to perform revenue and executive work which had previously been done expensively and not always efficiently by temporary establishments. Its members were to be employed mainly on out-door duties in the interior of the districts as executive agents to help District and Subdivisional Officers in administering the various departments under their charge. It was laid down that they should only be vested sparingly with magisterial powers. In 1892, nearly 20 years later in Sir Charles Elliot's time, the position was reconsidered. It was found that, owing to force of circumstances and the exigencies of the administration, it had been necessary to vest these officers with minor magisterial powers, that is the powers of Magistrates of the second and third class, and it was decided that it was good policy to utilise these officers on magisterial work of this kind. It was decided that they should constituto a class similar in powers and responsibility to deputy collectors but inferior in dignity. Then, in 1902, when a reorganisation of the service took place, a further statement was made. It was said that in subdivisions sub-deputy collectors were wanted to relieve the Subdivisional Officers of treasury and office routine, petty cases and local enquiries. They had come to be regarded to a great extent as second officers in subdivisions, and their employment in a heavy subdivision did much to stave off the necessity of stationing there a second officer of the superior service. These remarks are still true to-day except for some slight development in the matter of magisterial powers which has taken place during the last 8 or 9 years. In 1911, Government decided to vest a limited number of sub-deputy collectors with first class powers, who from their standing and ability were likely to be promoted within two or three years to the rank of deputy collectors. In 1916, owing to the absence on war service of a number of the members of the Indian Civil Service and also of the Provincial Service, Government agreed to relax these restrictions temporarily, and vested a limited number of sub-deputy collectors with first class powers, who had exercised second class powers for some time and had shown themselves thoroughly fit for higher powers. This is a very brief and condensed account of the history of the service, but it serves to explain the nature of the duties on which Government decided to employ these officers and on which they are still employed. I have only to add that in the early days of the service, sub-deputy collectors like deputy collectors, were recruited mainly by competitive examination. In 1905, this examination was abolished, and the possession of an University degree was made an indispensable qualification for both services. Since 1892 sub-deputy collectors have had to pass the same departmental examination as the deputy collectors. It must, therefore, be admitted that the claim made to-day and elsewhere that these officers are very much of the same class, and are drawn from the same rank of society and possess the same educational qualifications as deputy collectors, has some force. The other claim, however, that these officers are employed on similar duties cannot be accepted without very considerable qualification. Even if it could, there is one general consideration which must not be overlooked. We have to look to the practical aspect of the case. It does not seem to me that the fact that we can get for the Subordinate Service officers of the same rank, of the same social standing and possessing the same educational qualifications as deputy collectors can be accepted as a conclusive argument for levelling up the lower service to the same standard of pay and prospects as the higher. It might equally well be argued that the pay of the superior service is unnecessarily high; and from the purely economic point of view of supply and demand, there is no doubt that such a view could be theoretically justified in this province. There are four main services in this

province for which the graduate qualification is prescribed, namely, the Provincial Executive Service, the Provincial Police Service, the Excise Department and the Subordinate Civil Service; of these, the Subordinate Civil Service, I need hardly say, is the least well-paid. For all these four services, there are about 30 to 40 posts to fill up every year; and we have about 400 to 500 candidates asking for posts in these services. During the last four years it has been my business to go through the papers of these young men, and I have interviewed most of them personally; I have no hesitation in saying that the great majority of them would be quite willing to take the Subordinate Service if they could get nothing better. They are in fact willing to take service in posts offering much worse prospects than even the Subordinate Service. Amongst the settlement kanungos, who are temporary employés, with no pensionary prospects, nearly half at present consist of graduates, and the proportion of graduates is rising. In the Subordinate Police Service during the last three years, on an average, more than 50 graduates have been appointed each year to posts as sub-inspectors of police. I quite realise that the economic consideration is not the only one which has to be taken into account. Government cannot afford to employ sweated labour in the public service, particularly in the higher ranks. But, at the same time, the economic consideration is an important one and cannot be disregarded. Facts being as they are, so long as we can get a plentiful supply of qualified candidates for posts as sub-deputy collectors on the existing terms, some regard must be paid to the ever increasing calls on the provincial finances in dealing with demands for increase of pay.

I now turn to the old argument which has been used that the work of the Subordinate Service and the Provincial Service is practically identical, and in regard to this a few hard facts will be more useful than any general argument. At the present moment, our present cadre of sub-deputy collectors consists of 221 officers, excluding the probationers who were recruited the other day to fill posts as circle officers. Out of these 221 officers, there are 95 employed on general duty; and of these 33 are employed at district headquarters and 62 at subdivisions. The 33 employed at headquarters include some 26 officers who are vested with first class magisterial powers under the orders issued in 1916, which I have already mentioned, and I admit that these officers do very much the same work as the ordinary deputy collectors at headquarters; but the position with regard to the 62 officers in subdivisions is very different; they are definitely in a position of subordination to the Subdivisional Officer who is usually a deputy collector or a young civilian; the Subdivisional Officer disposes of all the important work leaving only minor cases for his sub-deputy collector. The sub-deputy collector is usually also employed on sub-treasury and routine work and performs minor and miscellaneous functions. Out of these 95 officers, 62 are therefore employed definitely on work which is of an inferior and less responsible nature than that of the ordinary deputy collector. Then, we have 46 officers employed on settlement work. It was my good fortune to serve in the Settlement Department myself for nearly 7 years, and I should be the last person to under-rate the value of the good work which sub-deputy collectors do in the Settlement Department. I learnt the elements of settlement work myself from a sub-deputy collector. At the same time, even in the Settlement Department, these sub-deputy collectors are not employed on superior posts of supervision and control which are held by deputy collectors and junior civilians. Then, again, there are the 22 sub-deputy collectors employed in Government and Wards Estates, and speaking generally they are employed in the smaller and less important estates while the more important and bigger estates are held by deputy collectors and other officers. Forty of the existing sub-deputy collectors are employed as circle officers; these are new posts in which deputy collectors are never employed, and I do not expect they ever will be employed. In this connection, it is important to note that we have

recently received sanction to recruit 234 more sub-deputy collectors who will eventually be employed as circle officers under the Village Self-Government Act which was passed in the Council the other day. I say, therefore, that in existing circumstances the number of sub-deputy collectors who are employed on work which could be described as in any way approaching in importance and responsibility to that of deputy collectors is very small, probably not more than 30 or 40 out of the existing cadre of sub-deputy collectors, and it will be a much smaller proportion when the 200 new circle officers' posts are added.

The Hon'ble Babu Surendra Nath Roy said a good deal about the disabilities of sub-deputy collectors. I admit that they are in the matter of pay not on the same footing as the deputy collectors, but I think the Hon'ble Member went beyond the mark in suggesting—and I think he did—that sub-deputy collectors are liable to be dismissed without enquiry; that is most emphatically not the case. A sub-deputy collector cannot be dismissed except under the orders of Government, and under the rules which apply to all officers a full enquiry must be made and charges framed and the officer afforded the fullest opportunity of explaining his case before any punishment can be inflicted on him. So far as that particular disability is concerned, I think the Council will agree that there is not very much in it.

As I have stated, on financial and practical grounds, I cannot hold out any hopes that the Provincial and Subordinate Services will be amalgamated but as I began by saying, Government are perfectly prepared to do what the resolution asks and to take into consideration the improvement of the pay and prospects of the Subordinate Service. The question of promotion from the Subordinate Service to the Provincial Service is already under the consideration of Government in connection with the resolution which we issued about the Provincial Service on the 25th March last. The replies to that resolution have come in and the case will shortly be submitted to Government. That is one matter which will be taken up almost immediately. The next point is that the increase in the cadre of sub-deputy collectors, owing to the creation of the new posts of circle officers, will necessitate an examination of the whole grading of the Subordinate Service; if we recruit a considerable number of these officers in the next 5 or 7 years there will be a hopeless block in promotion unless we alter the grading. Personally I am inclined to think that a time scale will be needed, but that is a matter which Government has not yet considered. A third point is a question, which has been kept pending for some time till after the end of the war and the report of the Public Services Commission regarding the adequacy of the existing cadre of the Provincial Service for the work it has been doing. During the war, the cadre of the Provincial Civil Service was quite inadequate, and the mere fact that so many sub-deputy collectors had to be vested with first class powers is a sufficient proof of that. Whether the cadre will be adequate when normal conditions are restored, is a matter on which I should hesitate to express an opinion at present. At any rate, the matter has got to be examined, and this examination may suggest some means of differentiating between the Provincial and Subordinate Services on more satisfactory lines than exist at present. Government are therefore prepared to take this question of the Subordinate Service into consideration; but I must warn the Council that it is impossible to promise any definite date at present. The case must wait until the case of the Provincial Service is decided, and the Hon'ble Maulvi Abul Kasem has pointed out some other difficulties which will also require consideration in this connection. It must therefore be clearly understood that Government reserve a free hand as to the changes which will be adopted and the time when they will be adopted. Subject to these remarks, Government are prepared to accept the resolution."

Babu S. N. Ray; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord. I have to say a few words because from the tenour of the Hon'ble Mr. Kerr's reply I find that Government are prepared to accept partially my resolution.

My friend, the Hon'ble Maulvi Abul Kasem has said that the time is not opportune for moving this resolution : but I think that this is exactly the time when I ought to bring forward this resolution, because the Government is now considering the question of improving the pay and prospects of the Judicial Service, the pay and prospects of the Police Service and of other services.

From the observations of the Hon'ble Mr. Kerr, it appears that he admits that the members of the Subordinate Service possess the same educational qualifications and are drawn from the same status of society. It has been said that recruitment to this service is regulated by the law of supply and demand. That is so. It has also been said in considering the pay and prospects of the members of the Subordinate Civil Service we must also take into consideration the economic aspect of the case which cannot be disregarded. But I think Government should also take into consideration the fact as mentioned by my Hon'ble friend, Babu Kishori Mohan Chaudhuri, that the lowness of pay has a demoralising effect. If you give a man good pay of course he is sure to work with contentment and you will get very good work from him. But if a man be really a competent man and has got the same educational qualifications as the others he naturally aspires to have the same status in the service as his brother officers. Government should also take into consideration that the cost of living has increased immensely of late and that a gentleman who could well afford to live on Rs. 100 a month cannot now live on less than Rs. 150 a month at least. So it is time that Government should consider all these matters and the sooner the claims of the members of the Subordinate Civil Service are considered by Your Excellency's Government the better."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 20.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that the Police Courts in Calcutta be located in one and the same building in some central part in the city.

He said :—

"My Lord, this is the second occasion on which I have ventured to bring forward this proposal for the location of the Police Courts in one central part and building in the city. On the last occasion I was assured by Mr. Lyon speaking on behalf of Government that this system of holding the Police Courts in different parts of the city was more or less of an experimental character and that Government must abide by the result of that experiment. Four years have elapsed since then and we do not find any indication on the part of Government to state the result of the experiment as to whether it has been successful or otherwise. So far as the public are concerned I can assure Your Excellency's Government that there is still the same feeling of dissatisfaction with the arrangement as it existed in 1913-14 when I first moved my resolution. My Lord, this practice of holding the Police Courts in some central part of the city is almost as old as the institution of Courts of

recently received sanction to recruit 234 more sub-deputy collectors who will eventually be employed as circle officers under the Village Self-Government Act which was passed in the Council the other day. I say, therefore, that in existing circumstances the number of sub-deputy collectors who are employed on work which could be described as in any way approaching in importance and responsibility to that of deputy collectors is very small, probably not more than 30 or 40 out of the existing cadre of sub-deputy collectors, and it will be a much smaller proportion when the 200 new circle officers' posts are added.

The Hon'ble Babu Surendra Nath Roy said a good deal about the disabilities of sub-deputy collectors. I admit that they are in the matter of pay not on the same footing as the deputy collectors, but I think the Hon'ble Member went beyond the mark in suggesting—and I think he did—that sub-deputy collectors are liable to be dismissed without enquiry; that is most emphatically not the case. A sub-deputy collector cannot be dismissed except under the orders of Government, and under the rules which apply to all officers a full enquiry must be made and charges framed and the officer afforded the fullest opportunity of explaining his case before any punishment can be inflicted on him. So far as that particular disability is concerned, I think the Council will agree that there is not very much in it.

As I have stated, on financial and practical grounds, I cannot hold out any hopes that the Provincial and Subordinate Services will be amalgamated but as I began by saying, Government are perfectly prepared to do what the resolution asks and to take into consideration the improvement of the pay and prospects of the Subordinate Service. The question of promotion from the Subordinate Service to the Provincial Service is already under the consideration of Government in connection with the resolution which we issued about the Provincial Service on the 25th March last. The replies to that resolution have come in and the case will shortly be submitted to Government. That is one matter which will be taken up almost immediately. The next point is that the increase in the cadre of sub-deputy collectors, owing to the creation of the new posts of circle officers, will necessitate an examination of the whole grading of the Subordinate Service; if we recruit a considerable number of these officers in the next 5 or 7 years there will be a hopeless block in promotion unless we alter the grading. Personally I am inclined to think that a time scale will be needed, but that is a matter which Government has not yet considered. A third point is a question, which has been kept pending for some time till after the end of the war and the report of the Public Services Commission regarding the adequacy of the existing cadre of the Provincial Service for the work it has been doing. During the war, the cadre of the Provincial Civil Service was quite inadequate, and the mere fact that so many sub-deputy collectors had to be vested with first class powers is a sufficient proof of that. Whether the cadre will be adequate when normal conditions are restored, is a matter on which I should hesitate to express an opinion at present. At any rate, the matter has got to be examined, and this examination may suggest some means of differentiating between the Provincial and Subordinate Services on more satisfactory lines than exist at present. Government are therefore prepared to take this question of the Subordinate Service into consideration; but I must warn the Council that it is impossible to promise any definite date at present. The case must wait until the case of the Provincial Service is decided, and the Hon'ble Maulvi Abul Kasem has pointed out some other difficulties which will also require consideration in this connection. It must therefore be clearly understood that Government reserve a free hand as to the changes which will be adopted and the time when they will be adopted. Subject to these remarks, Government are prepared to accept the resolution."

submit that it has not. I still maintain that with the partition there has been an ineffective supervision of the subordinate Courts by the Chief Presidency Magistrate. Formerly the Chief Presidency Magistrate kept a daily watch on the files of the cases and exercised a certain amount of control over the Magistrates subordinate to him. Now he has practically lost touch with the Magistrates (stipendiary and honorary) in the Northern Division Court. A flying visit once a month or even less to the Northern Division Court is certainly not effective supervision. In the interests of efficiency it is highly desirable that the other Presidency Magistrates should be under the close administrative supervision of the Chief Presidency Magistrate at Bankshall Street.

The next point, my Lord, which I submit for the consideration of this Council is this: that on account of the unequal distribution of work it happens that one Magistrate in Jorabagan, for instance, finds time hanging heavy on him while another has to work up to 5 to 6 P.M. And I myself have seen certain other Magistrates leave the Court at 3 in the afternoon. This is due to unequal distribution of work. All these prove my statement that the experiment has not proved successful, on the contrary it has proved a failure. Therefore, I think that Government should now redeem their pledge and there ought to be a reversal of the present system. As regards the distribution of work I shall quote the following observation which I have taken the liberty to collect from an unofficial report :—

'The Jorabagan Court is within a stone's throw from the First Division Port Police, yet all cases arising within its jurisdiction are tried at Bankshall Street. A *dinghi manji* arrested at Bichali Ghat, Bagh Bazar, is taken all the way to Bankshall Street although the Jorabagan Court is far nearer. All motor-car cases arising in any part of Calcutta are now heard in the Bankshall Street Court. What is the good of having a partition of the courts, if cases arising within the jurisdiction of one are tried in another.

In several matters (*e.g.*, the Press Act, the Extradition Act and so forth) the Chief Presidency Magistrate exercises exclusive jurisdiction, and the people of the Northern Division have, in consequence, to go to the Jorabagan Court for one purpose and to Bankshall Street Court for another purpose. This double-court arrangement leads neither to the convenience of the public nor to a prompt despatch of business nor to the efficiency of the court.'

Therefore I submit that the time has come when the Police Courts should be located in one and the same building and that the present system be done away with.

With these words I commend the resolution for the acceptance of the House."

The Hon'ble Maulvi Abul Kasem said—

"My Lord, it is my misfortune this time to oppose my Hon'ble friend Maulvi Fazl-ul-Haq. He has ably advocated the cause which he has taken up, and those interested are very fortunate in having one of the ablest men in the province for their spokesman. But I am sorry that in spite of his eloquence I am still unconvinced that the facts justify his proposal. He says that the experiment has proved a failure and that a city like Calcutta, which has grown very much in recent years, all the Police Courts should be located in one and the same place. I believe that in other Presidency towns the Police Courts are located in different quarters and no complaint has been heard about that arrangement. And so far as I know I do not think there is much dissatisfaction in Calcutta either. But of course there is dissatisfaction among

Maharajadhiraja Bahadur of Burdwan.

the members of the legal profession practising in the Police Courts. It would be very convenient to them to have all the courts in one and the same building My Hon'ble friend has said that owing to the pleaders being distributed between the two courts, the litigants have to pay higher fees. But so far as I know the race of pleaders is so prolific that the supply is always greater than the demand. Therefore that argument does not hold good. In such a case the result will be that a particular set of pleaders will get all the cases and the others will have to starve. My friend has also stated that a good deal of inconvenience is felt by the witnesses in going from one court to another. Why should they go from one court to another unless they are professional set of witnesses? It is not usual for a case to be partly tried at Jorabagan and partly at Bankshall Street. My Hon'ble friend has cited the case of a *dinghi manjhi*. But that sort of thing might be remedied and that remedy does not lie in the placing of all the Police Courts in one building. A good deal has been made out of the fact that there was only one court in those days. That was certainly the case. But my Hon'ble friend forgets that in those days there were only two stipendiary Magistrates and a limited number of Honorary Magistrates. But since then the work has grown up in geometrical proportion and there are now four stipendiary Magistrates and a large number of Honorary Magistrates. And certainly it is necessary therefore that the buildings should be separate. It has been said that litigants find it inconvenient and expensive to find lawyers of their choice. In the mofussil, too, lawyers from Calcutta are appointed to conduct cases by the parties. And if that argument holds good, then all the courts in the Presidency should be brought into one place. If the courts are brought into one place litigation will increase and the number of touts will increase also, and the people will be robbed not only by touts but by others as well. So far as I have been able to ascertain, the public do not desire it, but members of the legal profession practising in the Police Courts and specially those who are at the top of the profession. And they have found a very able advocate to plead their cause in the Council. With these words, my Lord, I oppose the resolution."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

'My Lord, the Hon'ble Maulvi Fazl-ul-Haq has once more brought up the question of putting all the Police Courts in Calcutta in a central place and in one building. The resolution is not a new matter and has, if I may say so, an interesting history. In December 1915 the same Hon'ble Member moved a similar and almost identical resolution which was opposed by Government and the resolution was lost. As the members of this Council are aware, up to the end of 1913 the Calcutta Police Courts were located at Lalbazar. It had long been recognised that the accommodation at Lalbazar was both inadequate and inconvenient and after a good deal of discussion three courts were established and called the suburban, the central and the northern courts. When the Hon'ble Member moved his resolution in December, 1915, on behalf of Government it was stated by the Hon'ble Mr. Lyon that the Kyd Street Court was about to be abolished as there was not sufficient work for it at the time. This was given effect to from the 25th April, 1916. Since that time there have been two police courts—one located at Bankshall Street and the other at Jorabagan. At first the Chief and the Fourth Magistrates used to sit at Bankshall Street and the Second and Third Magistrates at Jorabagan, each court having in addition a number of Honorary Magistrates. In the beginning of 1918 however this arrangement was slightly altered and in the rules published under section 21 (*1*) of the Code of Criminal Procedure it was definitely laid down that the Chief and the Second Magistrates should ordinarily sit at the southern and northern courts respectively, the other Magistrates being assigned to these courts in such a manner as the Chief Presidency Magistrate may think fit. In actual practice

at present the Chief and the Third Magistrates sit at Bankshall Street and the Second and the Fourth at Jorabagan. The arguments which the Hon'ble Maulvi put forward in favour of his resolution in 1915 were that the courts at Lalbazar were split up and located at different places to meet some urgent requirements of the police and the physical congestion was a secondary consideration—an argument which did not merit serious consideration at the time and does not do so at the present moment, for as everybody is sufficiently aware, the accommodation at Lalbazar was anything but satisfactory not only to the Magistrates but also to the pleaders, witnesses and parties and in fact to everybody concerned. Since then new buildings at Lalbazar have been put up for the use of the Calcutta Police. Here I may mention that it was not true that the Lalbazar building was abandoned for the police—purely for putting up new buildings, for the police but it was done so because the Bankshall building came back to us from the Government of India and we thought it economical to use it as a Police Court. So that side of the question should not be lost sight of. The second argument then put forward by the Hon'ble Maulvi has no longer any force as the Kyd Street Court has been abolished for over three years. The third argument then put forward by the Hon'ble Maulvi was that the courts being at a distance from one another, the Chief Presidency Magistrate could not exercise proper supervision—a charge which he has brought against Government again to-day. Literally this may be true, but it does not necessarily follow that for that reason the work of supervision has been slackened because it must be remembered that the Second Presidency Magistrate has been entrusted with a considerable amount of work which the Chief Presidency Magistrate used to do in the trial of cases and therefore the latter is able to devote more time to the supervision work. I shall, however in connection with this look into the question which the Hon'ble Maulvi has brought forward to-day about the division of labour or about the question that all cases have got to go to the Chief Presidency Magistrate who delegates his powers and distributes the cases. If of course any better arrangement can be made in regard to the disposal of such cases, I can assure the Hon'ble Member that that will be looked into. I find therefore that the Hon'ble Maulvi has more or less gone over his trodden ground of 1915. He asks very naturally that as Mr. Lyon in reply to his resolution said that this was going to be an experimental measure, for some indication as to the policy of Government regarding these courts. On this point I shall have to say something later on. Meanwhile of course he has also brought against us the charge and he has said that not only the non-recurring charges have been heavy but recurring charges have gone up. Well, I think it must be apparent to every member here that if we are to have more than one court there must be necessarily an increase both in the recurring and non-recurring charges. The arguments that litigants cannot have lawyers of their choice except at a higher cost regarding which the Hon'ble Maulvi Abul Kasem has spoken very strongly, all I can say is that this argument cannot possibly carry the same force to-day as it did in 1915, for in the first place the courts have been split up for more than five years. Then again it can be argued with a good deal of justification that as the number of pleaders and lawyers in Calcutta are by no means inadequate, it may reasonably be expected that a sufficient number of competent lawyers have now gathered round the southern courts if, in spite of this fact, litigants occasionally want to take lawyers from the Bankshall Street court and have to pay extra expenses, then, in the words of the Hon'ble Mover, they must pay for that luxury. I am afraid it cannot be helped, for I am sure such cases cannot be many and are rather more than counterbalanced by the fact that in a large number of cases the litigants are benefited by the disposal of their cases much nearer their homes—a thing which evidently however does not appeal to my friend the Hon'ble Maulvi Fazl-ul-Haq and sometimes perhaps even without the assistance of lawyers practising at the local court. Moreover I shall soon give the figures of the number of cases tried by these two courts from which I am firmly convinced that it would be by far the wisest course to leave things as they are at present, and I am sure that matters will completely adjust

themselves in the course of a few years, for there cannot be the slightest doubt that the system in vogue is a considerable improvement on the old system of one central court. So far as the litigants are concerned, however, I am sure nobody will argue that it would be more convenient for the inhabitants of the northern portion of the city to come to Lalbazar or Bankshall or some such place instead of going to Jorabagan. The only strong argument therefore, in favour of centralisation of all the courts at one place is that it will foster the growth of a strong Bar, but, my Lord, I venture to think that the Bar of Calcutta is more than strong and that it does not need any such further strengthening if that were possible by the centralisation of the Police Courts in one building. Then, my Lord, the questions of buildings and building sites in Calcutta even for the Government is by no means an easy one. Already the Bankshall Street building has been condemned and the Government has got seriously to consider as to where the southern court can be temporarily located until a new building is completed. Perhaps my friend will bring forward this as an argument in favour of having one central court and may say that as the Government has to erect a new building why not huddle them all together. To this my reply would be that apart from the question whether such a course would be economical or not we have got to see the convenience of the litigants themselves and from the figures which I shall soon give it will be apparent that it would be a great injustice to the litigants if Government were again to decide upon a central building with all the courts concentrated in it. In 1915 it was stated on behalf of Government that the arrangements then in force were experimental. At that time it was fully proved that the northern court was a success, and from the figures which I have in my hand I can say that the southern court has also been success. Therefore, it seems to me that the time has perhaps come when on behalf of Government I should definitely state what the policy of Government is in this matter.

In the first place there is nothing to show that the present arrangement are not working satisfactorily. Apart from the consideration of accommodation and perhaps the convenience of certain members of the Bar, it is a distinct advantage to bring justice nearer the people, for if against this argument of mine it were adduced that more the courts the more the litigants as has been done this morning by the Hon'ble Maulvi Fazl-ul-Haq, my reply is that human nature being what it is, litigation will go on and will continue to exist whether there is one court or more. Now, my Lord, let me give some figures which will show that although the work of the northern court may not be equal to that of the southern court, there has been a steady growth of work in the southern court from 1915-17, though there was some falling off again last year, but the decrease in the northern area was perceptibly less than in the southern. The number of serious cases in the northern area was much higher than that in the southern area except in 1915. In short, the figures to my mind are a conclusive proof that the object in view in having a new court in the northern area has been attained and that the work done in that area has justified its existence. In the years 1917 and 1918, the total number of cases in the northern court was 37,934 and 32,561, respectively. The total number for that period in the southern court was 45,886 and 35,616. If, therefore, there is a reversion to the central system it would mean that the parties and witnesses in all these cases would have to make a journey to Bankshall Street instead of having their cases tried in their own neighbourhood. It would also involve backward and forward journeys for the police officers between the Jorabagan and the central court, thus meaning considerable inconvenience as well as waste of public money.

Then, again, from the financial aspect it would be extremely difficult to find a suitable site for a large Central Police Court, the cost of acquiring

land for such a building being in itself enormous. But what I think is the most important of all to remember is that numerically the petty cases are really the most important, and the nearer to the homes of the parties these could be disposed of the better. And from this point of view quite an arguable case for greater decentralisation could be made out instead of the plea to return to the old system of centralisation for which to my mind there is no justification, either on the ground of convenience to the public or of economy of State funds.

Moreover, when two police districts were made for Calcutta—the north town and the south town—the division was so made that the jurisdiction of the Magistrates and of the executive police officers should coincide. From this point of view too, my Lord, there is no reason to disturb the present arrangement. Under all these circumstances, my Lord, I contend that the Government would not be justified in accepting the recommendation of the Hon'ble Mover of this resolution and I trust to the good sense of the Council to throw out the motion before us."

The Hon'ble Maulvi A. K. Fazl-ul Haq said :—

"My Lord, in view of the very full and exhaustive statement that has been made by the Hon'ble Member speaking on behalf of Government I would not have troubled this Council with any reply but for the fact that my friend, the Hon'ble Maulvi Abul Kasem, has made certain remarks which I cannot certainly pass without comment. He has sought to create a diversion this afternoon in favour of Government by offering opposition to two very popular resolutions simply, as I take it, for the sake of opposition itself. He has delivered two speeches ; the first of which is, I may say with the utmost respect, of a more or less incoherent character, and the second couched in the language of vehemence. The second speech exemplifies, to my mind, the danger of a layman trying to dabble with matters of which he has got a hazy and vague idea.

To begin with, he has mentioned that in Bombay there are Police Courts located in different parts of the city. May I ask him what parallel can be drawn from the conditions of Bombay to those existing in Calcutta when we do not know that the Police Courts of Bombay were located in one and the same building previously, but was followed by subsequent divisions and located in different parts of the city ; so that we may have some data for a comparison of the circumstances. As far as I know, the Bombay system can supply no data to judge whether the present system is better than that of having Police Courts in one and the same building in the city. Calcutta people can offer some opinion because they have been accustomed to two different conditions. My friend said that this resolution has been brought forward in the interests of the members of the legal profession. May I ask him what do the members of the legal profession lose if really the courts are split up into two or into 100 parts? The pleaders are put to some inconvenience by having to go from one court to another. Is he so simple as not to know that it is not the pleader but it is the client who has to pay for conveyance? I would like my friend's going to a pleader to engage him on professional business and taking him from his ordinary place to another place, asking him to pay his own gharry hire : I would like to know whether it is the pleader or my friend who has to pay.

Then, my Lord, he said that my statement about witnesses being engaged in one court but being required at another, cannot be accepted for the simple reason that the witnesses are not professional witnesses who can be required

for examination at two different cases simultaneously. My friend does not know that there are two classes of witnesses; first I leave aside the professional witnesses, but amongst honest witnesses there are two classes: *first*, those who can depose as to facts and the other class called expert witnesses. There are, for instance, witnesses who are required to prove previous convictions, medical witnesses and so forth and they have got to appear in one case sometimes at Jorabagan and in another case at Bankshall Street: but this my friend does not know as he has no business with courts. My Lord, I say with the utmost respect because he does not belong to the class of witnesses, or as he has had not to appear as a witness or as complainant; he has not had the occasion to complain of or to infringe the law. Then, as regards pleaders raising their fees, a visit to Jorabagan or Bankshall Street will show whether they have or have not raised their fees. I have been told that, with the large influx of pleaders into courts every year and that great manufactory, the Calcutta University, turning out graduates in law every year, the supply is always going to outstrip the demand. Although hundreds and hundreds of the pleaders may be struggling for existence, those who have made their mark in the profession always dictate their own terms. There may be 200 enrolled, but those who have made their mark, *i.e.*, those whose services are sought after will always charge high, sometimes fancy, fees, although there may be a hundred who may be struggling for existence in these courts. So, the mere fact that there is a large influx every year does not, as a matter of fact, go to reduce the fees which are exacted by pleaders. I do not mean pleaders who are of no consequence to the profession but those who have made their mark as pleaders.

As regards the convenience of the litigants, my own idea is that it is inconvenient to the litigants to have the courts located in different parts of the city; but if Government have made an enquiry and are satisfied that the present arrangement is to the convenience of the litigants, I have got absolutely nothing to say. But I feel convinced that the greater the number of courts the greater is the advantage to members of the profession to which I have the honour to belong. I would like to see courts spring up in every conceivable quarter of Calcutta so that the members of my profession may spread themselves out conveniently, because I know that as soon as a court is started the number of cases go up. The experience of the last five years show that the number of cases in the two courts is very much higher than what it was and the rate of increase is very high; but if, in spite of this, Government think that it is for the convenience of litigants that the courts should be situated in different parts of the city, I have got nothing to say.

As regards the financial aspects that it has been convenient to locate the courts in one big building my idea is that the Bankshall Street building which has been condemned as a very old building might be dismantled and out of the surplus which we get from the receipts of the Police Courts spread over a number of years a very big building might be erected: that is a matter entirely for the Government to consider. I do still hope that the time will come when the Government of its own motion will decide that a reversion to the old state of things is for the convenience of the public; and although I have doubts whether they will accept my proposal, I hope that all this discussion has not been in vain; and I have placed certain facts before the Government which, I hope, in future will be taken into consideration."

The motion was then put and lost.

land for such a building being in itself enormous. But what I think is the most important of all to remember is that numerically the petty cases are really the most important, and the nearer to the homes of the parties these could be disposed of the better. And from this point of view quite an arguable case for greater decentralisation could be made out instead of the plea to return to the old system of centralisation for which to my mind there is no justification, either on the ground of convenience to the public or of economy of State funds.

Moreover, when two police districts were made for Calcutta—the north town and the south town—the division was so made that the jurisdiction of the Magistrates and of the executive police officers should coincide. From this point of view too, my Lord, there is no reason to disturb the present arrangement. Under all these circumstances, my Lord, I contend that the Government would not be justified in accepting the recommendation of the Hon'ble Mover of this resolution and I trust to the good sense of the Council to throw out the motion before us."

The Hon'ble Maulvi A. K. Fazl-ul Haq said :—

"My Lord, in view of the very full and exhaustive statement that has been made by the Hon'ble Member speaking on behalf of Government I would not have troubled this Council with any reply but for the fact that my friend, the Hon'ble Maulvi Abul Kasem, has made certain remarks which I cannot certainly pass without comment. He has sought to create a diversion this afternoon in favour of Government by offering opposition to two very popular resolutions simply, as I take it, for the sake of opposition itself. He has delivered two speeches ; the first of which is, I may say with the utmost respect, of a more or less incoherent character, and the second couched in the language of vehemence. The second speech exemplifies, to my mind, the danger of a layman trying to dabble with matters of which he has got a hazy and vague idea.

To begin with, he has mentioned that in Bombay there are Police Courts located in different parts of the city. May I ask him what parallel can be drawn from the conditions of Bombay to those existing in Calcutta when we do not know that the Police Courts of Bombay were located in one and the same building previously, but was followed by subsequent divisions and located in different parts of the city ; so that we may have some data for a comparison of the circumstances. As far as I know, the Bombay system can supply no data to judge whether the present system is better than that of having Police Courts in one and the same building in the city. Calcutta people can offer some opinion because they have been accustomed to two different conditions. My friend said that this resolution has been brought forward in the interests of the members of the legal profession. May I ask him what do the members of the legal profession lose if really the courts are split up into two or into 100 parts? The pleaders are put to some inconvenience by having to go from one court to another. Is he so simple as not to know that it is not the pleader but it is the client who has to pay for conveyance? I would like my friend's going to a pleader to engage him on professional business and taking him from his ordinary place to another place, asking him to pay his own gharry hire : I would like to know whether it is the pleader or my friend who has to pay.

Then, my Lord, he said that my statement about witnesses being engaged in one court but being required at another, cannot be accepted for the simple reason that the witnesses are not professional witnesses who can be required

Maulvi A. K. Fazl-ul-Haq.

for examination at two different cases simultaneously. My friend does not know that there are two classes of witnesses; first I leave aside the professional witnesses, but amongst honest witnesses there are two classes: *first*, those who can depose as to facts and the other class called expert witnesses. There are, for instance, witnesses who are required to prove previous convictions, medical witnesses and so forth and they have got to appear in one case sometimes at Jorabagan and in another case at Bankshall Street: but this my friend does not know as he has no business with courts. My Lord, I say with the utmost respect because he does not belong to the class of witnesses, or as he has had not to appear as a witness or as complainant; he has not had the occasion to complain of or to infringe the law. Then, as regards pleaders raising their fees, a visit to Jorabagan or Bankshall Street will show whether they have or have not raised their fees. I have been told that, with the large influx of pleaders into courts every year and that great manufactory, the Calcutta University, turning out graduates in law every year, the supply is always going to outstrip the demand. Although hundreds and hundreds of the pleaders may be struggling for existence, those who have made their mark in the profession always dictate their own terms. There may be 200 enrolled, but those who have made their mark, *i.e.*, those whose services are sought after will always charge high, sometimes fancy, fees, although there may be a hundred who may be struggling for existence in these courts. So, the mere fact that there is a large influx every year does not, as a matter of fact, go to reduce the fees which are exacted by pleaders. I do not mean pleaders who are of no consequence to the profession but those who have made their mark as pleaders.

As regards the convenience of the litigants, my own idea is that it is inconvenient to the litigants to have the courts located in different parts of the city; but if Government have made an enquiry and are satisfied that the present arrangement is to the convenience of the litigants, I have got absolutely nothing to say. But I feel convinced that the greater the number of courts the greater is the advantage to members of the profession to which I have the honour to belong. I would like to see courts spring up in every conceivable quarter of Calcutta so that the members of my profession may spread themselves out conveniently, because I know that as soon as a court is started the number of cases go up. The experience of the last five years show that the number of cases in the two courts is very much higher than what it was and the rate of increase is very high; but if, in spite of this, Government think that it is for the convenience of litigants that the courts should be situated in different parts of the city, I have got nothing to say.

As regards the financial aspects that it has been convenient to locate the courts in one big building my idea is that the Bankshall Street building which has been condemned as a very old building might be dismantled and out of the surplus which we get from the receipts of the Police Courts spread over a number of years a very big building might be erected: that is a matter entirely for the Government to consider. I do still hope that the time will come when the Government of its own motion will decide that a reversion to the old state of things is for the convenience of the public; and although I have doubts whether they will accept my proposal, I hope that all this discussion has not been in vain; and I have placed certain facts before the Government which, I hope, in future will be taken into consideration."

The motion was then put and lost.

Maulvi A. K. Fazl-ul-Haq.

LIST OF BUSINESS—ITEM No. 21.

The Hon'ble Maulvi A. K. Fazl-ul-Haq also moved the following resolution :—

This Council recommends to the Governor in Council that the permission granted to the medical practitioners who failed in one or two subjects in the Final Licentiate Examination of the State Medical Faculty in November, 1916, to appear at the same examination to be held in November, 1919, be extended to all those who were permitted under the transitory provision to appear at the said examination previously.

He said :—

"This is the fourth occasion on which a proposal has been made for concessions to a certain class of medical practitioners and I am afraid the Hon'ble Sir Henry Wheeler might think that we are inducing him in a moment of weak good nature to concede certain privileges to which ordinarily these people are not entitled. On the last occasion he told us that the path of concessions is always of slippery character and once we start going down the path we do not know where we come to. But there are certain consideration which might weigh with the Hon'ble Member with regard to the particular class of medical practitioners, and for these reasons I have ventured to bring forward this resolution. On the last occasion a similar resolution was moved by my friend the Hon'ble Khan Sahib Aman Ali, but that resolution was of a much wider scope than the present one as in my resolution I am asking for this concession for those medical practitioners who have been granted permission previously but could not get through the examination either because they failed in one or two subjects or could not appear at the examination for failure of getting timely notice. My Lord, so far as the first class of medical practitioner is concerned those who failed to pass the examination by only a narrow margin of marks I submit that in their case I cannot say anything except on purely humanitarian grounds. It has been ascertained that they are mostly men who work in distant places, in tea gardens and other estates and whose employers have given them notice to leave their services unless they can produce a certificate of pass. The Hon'ble Sir Henry Wheeler remarked on that occasion that it does not very much matter whether a medical practitioner gets a certificate or not because he can always practise as a private practitioner, and so long as he possesses a certificate it is enough to enable him to carry on the profession. It is well known, however, that a medical practitioner who possesses a certificate like the one for which we are contending for this class of practitioners always commands a much higher market value than the one who possess none and the latter want to improve their prospects by procuring this certificate. As regards the other class, that is, those who did not get timely notice, an enquiry will show that there were people who got notice very late and so late that they could not appear at the examination. Since one examination is going to be held it would be an act of mercy if they are allowed to appear at it. Let them take their chance : if they pass they get a certificate, and that is what they ask for but if they fail they have got themselves to blame. It is not a resolution for which I can say anything except the *argumentum ad hominum*, but I hope it is a case in which that mercy should be exercised. I believe, my Lord, there is a large volume of public opinion in favour of this resolution and I do not, therefore, wish to take more time of the Council. The matter has been discussed on three occasions already, and there is nothing new to say. All that I wish to say is that this resolution is of a simpler character than any of the resolutions that have been moved previously."

Khan Sahib Aman Ali; Babu K. M. Chaudhuri; Sir Henry Wheeler.

The Hon'ble Khan Sahib Aman Ali said :—

"My Lord, in supporting this resolution, I will only say a few words because on the last occasion I spoke at some length on the necessity of having qualified doctors. It is an undeniable fact that this province is in urgent need of qualified doctors, and on account of want of doctors the people in every district are suffering from various diseases. If the proposal embodied in the resolution be accepted, it will in no way interfere with the prestige and finance of Government. It will be a favour to a large number of doctors who are not qualified under the law but who have studied medicine for five years at least. With these words, I beg to support the resolution."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I do not wish to take up much time of the Council in supporting this resolution. It seems to be a reasonable request and that request is that those who were permitted to appear at the previous examination but for some reason or other could not appear, might be given another opportunity of qualifying themselves. I do not see that there is any objection to this proposal, and I hope that the concession will be granted. With these few words, I beg to support the resolution."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, like the last resolution that has been moved by the Hon'ble Member, this is a matter which on more than one previous occasion has occupied the attention of the Council. There is therefore not much new that can be said about it, and I will be as brief as possible in my remarks. These resolutions have centred round the examination of the State Medical Faculty of Bengal. That was an examination instituted in connection with the legislation undertaken in Bengal for the registration of medical degrees, and the advantage of passing the Faculty Examination was that it conferred a registrable degree. The examination was meant for people who had undergone a specified training; but in recognition, primarily, of the position of those who were already in practice, a transitory clause was enacted which for two years after the constitution of the Faculty enabled men to go up for the examination who had not gone through the prescribed course of tuition. That period elapsed at the examination of November 1916. The object of all the different resolutions which have been moved in this connection from time to time has been, in various ways, to enable men to go up for that examination or obtain a registrable qualification, who would not otherwise be entitled to do so. This is the fourth resolution of the kind which has come up.

In January 1918, the Hon'ble Babu Kishori Mohan Chaudhuri asked us to admit to the examination the Belgachia students of the year 1913 and those who failed for the first time in one or two subjects in the examination held in November 1916. Mr. Donald, on behalf of Government, opposed that motion; but the Council expressed an opinion in favour of it, and in consideration of that opinion, and also being desirous of meeting it to the extent which they thought legitimate, Government did allow the men who failed in one or two subjects at that examination, to go up—not only for one more examination as was originally asked for, but for four more examinations, and in fact there will still be an examination in November 1919 open to these men. Therefore, I would emphasise that we have already provided for the case of those who were originally permitted to appear but who failed in one or two subjects.

The next occasion was September 1918, when we had the Hon'ble Babu Surendra Nath Ray's resolution asking us to recognise the Belgachia

Institution as one which could confer registrable degrees. I explained then why we could not accept his proposal, but the Council said that we ought to do so. On further examination, however, we were confirmed in the view that there was no possible justification for such a course, and we were therefore unable to accede to the request.

In January last, the Hon'ble Khan Sahib Aman Ali asked us to admit to the examination of May 1919 all passed students of non-recognised medical schools. I explained then why we could not do so, and that proposal was lost without a division.

Now, we are asked to admit to the next examination to be held in November all those who were previously permitted to appear under the transitory provisions but for one reason or another have hitherto failed to pass. Such men would seem to be, firstly, those who, having obtained permission, for one reason or another omitted to appear; their number seems to be very small, and I cannot see that they deserve much consideration. And secondly, those who, having appeared, failed to satisfy the examiners. But if they only failed in one or two subjects they can already go up again, so the resolution really presses the case only of those who failed in three or four subjects, it being remembered that the total number of subjects is only four, while under the ordinary regulations of the Faculty a man is not allowed to go up again if he has failed in three subjects or more. The number of men for whom we are asked to make this special concession seems to be 41 who failed in three subjects, and 49 who failed in four subjects, at the examination of November 1916, and we are asked to allow this special concession for men who after four chances have practically demonstrated that their knowledge of medical practice was of the slightest. I have been told by the examiners that some of the men who appeared had no more chance of passing any reasonable medical examination than a child in the street. That is what we are asked to do.

I have previously explained what the object of our medical legislation was, and I do not want to re-traverse that ground. I would again emphasise that the discussions about it originated in 1908, and the two relevant Bills only passed into law in 1914 in Bengal, and in 1916 in the Imperial Council. Therefore everybody had ample notice of what the position was going to be. The object of our law is merely this—to give a definite status to men who have a definite qualification, and to prevent men who have not that qualification from assuming that status. It is further to the advantage of the medical profession in the province that the standard of the Faculty Examination should be maintained. If we, out of good nature, allow men to go up for the examination who have not passed through a reasonable course of medical training, we derogate from the value of the status enjoyed by all those who have passed the examination. I would again emphasise that the status conferred by medical degrees is one dependent upon a reasonable medical training, and not upon the mere passing of an examination, especially if that is to be achieved after the fourth or fifth effort and after an exhibition of almost entire ignorance of the subject.

Why then, when the object of our legislation seems to be so palpably justified, is it that we have these persistent attempts to get us to admit men who are not qualified under the rules and concessions that we have given? The Hon'ble Maulvi Fazl-ul-Huq denies the charge, but I really cannot see that there is any more argument in favour of this course than that of weak good nature. When I spoke on the last occasion I went through in detail the concessions given under the transitory clause. I explained that we began with concessions; we extended them once, and we extended them again on the motion of the Hon'ble Babu Kishori Mohan Chaudhuri, and we have now arrived at the utmost limit that we thought was justifiable. We are now asked to do more than the Council was asked to do in 1918 and which we

eventually accepted, although we did not think it justifiable. In asking us to do this now the Council is not altogether logical; that is to say, in January 1918 we were asked to do something which we did do: in July 1919, for no particular reason whatever, We are asked to go a great deal further, and it is difficult to answer the query, when are we to arrive at finality in this matter? Suppose we accept this resolution and allow those who failed in three or four subjects to go up again—what is going to happen? Most of them will fail; it is almost certain that they will fail. And then we will be told that these poor men have not had much time to prepare for the examination, that if they are given a little more time to brush up their knowledge, they will pass; and that they should therefore be allowed to go up again in 1920. The whole policy becomes one of endless weak concession. I maintain that the legislation has been reasonable in its initiation, it has been interpreted in a reasonable way, and it has been marked by concessions which were, if anything, generous, and on these grounds, Sir, we are not prepared to make this further extension which is now asked for."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I have not got to add much to what I have already said because as I have said in moving this resolution that this question has been threshed out on three occasions It has been said that most of the students who appeared or were permitted to appear at the previous examinations failed practically in all the subjects. If there are any such I cannot contend that their case deserves much sympathy, but there is the case of others who were given permission but could not at all appear by reason of the fact that they lived at distant places and could not get timely notice. So far as they are concerned I have submitted already and I again respectfully submit that their case deserves some consideration. At any rate the second class medical practitioners can be differentiated from the first class. The Hon'ble Member has put a query that if this concession is granted where are we going to stop. I do not know if any undertaking on my part will be of any practical effect, but I can assure him that if this resolution is accepted I do not think that Government will be troubled with any request of this character in future—very likely this will be the last. On three occasions we were met with unqualified negative and on this the fourth occasion our proposal may be accepted on the condition that we shall not come again with a similar request to Government. Of course it will not be *res judicata*, and the new Council will not be bound by what is happening in this Council. We can give this undertaking if the Hon'ble Member accepts the resolution. I have already said that I have not got a very strong case, but I leave it to the Hon'ble Member's mercy. It is a question which touches their livelihood and on this consideration they should be allowed to take their chance. I submit that a case has been made out for the acceptance of the Council."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 22.

The Hon'ble Mr. Irwin moved the following resolution :—

This Council recommends to the Governor in Council that a Committee be appointed, consisting of two officials and two non-officials, with instructions to make a thorough inquiry into the conditions existing at the Victoria and Dow Hill Schools at Kurseong, and to recommend such steps (if any) as may be deemed advisable in order to place both the schools on a more satisfactory basis.

Mr. Irwin.

He said :—

"My Lord, I am afraid this resolution will not arouse much interest as it does not personally affect the majority, nevertheless it is a serious one for a considerable community all over India.

It is a question, my Lord, which has occupied my attention for a long time past, as, according to reliable reports, the state of affairs in these two schools has steadily been going from bad to worse for some years, so much so that I consider it would be better to close them altogether unless a great improvement is effected ; at the same time I have been loath to worry Government unnecessarily and hoped that steps would have been taken to remedy matters.

At length hoping to draw the attention of the authorities to it with the least possible waste of time or undue emphasis, I asked a series of questions in this Council in April last.

As, however, the answers given to these questions were, in my opinion, unsatisfactory and as nothing was being done, as far as I could gather, to place the schools on a sounder footing, I felt constrained to take more decisive steps as indicated by the resolution I have quoted.

I may say at once that since giving notice of this resolution I have had a long discussion with the Acting Director of Public Instruction on the matter.

I gave him an outline of what I proposed to say at this meeting with the different items to which I wished to draw special attention, and I think I am correct in saying that he fully agreed with me that not only are the conditions existing at both schools unsatisfactory but that every item I mentioned required revision and reorganisation.

This admission has naturally simplified my task considerably and enabled me to curtail what I should have otherwise been constrained to say in support of my resolution. I shall therefore be as brief as I possibly can.

In the first place, I contend that both schools are and have been for years past, considerably understaffed, the consequence being that the teachers are overworked and the pupils do not receive the attention and tuition they and their parents have a right to expect ; moreover owing also to this fact, *i.e.*, the paucity of teachers, the Head Master or Mistress, respectively, is *obliged* to undertake duties, which should be relegated to a subordinate, greatly to the detriment of his or her legitimate work.

Again I allege that the staffs of both schools are very considerably underpaid for the duties expected of them. Several of the teachers after giving more than twenty of the best years of their lives in the service are at present drawing miserably inadequate salaries and have proportionately miserable pensions to look forward to when superannuated. I strongly urge that both salaries and pensions should be enhanced without delay, and as regards pensions I think, my Lord, that this enhancement should be retrospective from the date of the commencement of the War, owing to the heavy extra expense entailed by it. This may be unusual, but the whole circumstances are unusual and it would be only ordinary justice.

Then again I consider the constant changes which have occurred in the headships of both schools during the last few years cannot fail to be prejudicial and point to something radically wrong with the supreme administration.

Also the custom of keeping teachers in an acting capacity indefinitely, sometimes for years, as has occurred in several instances, at both schools is utterly wrong and highly detrimental. Can it be expected that teachers under these circumstances can take the same interest in their duties, as if they were on the permanent staff?

Mr. Dunn.

Finally as regards the allowances for board to the teachers and the feeding of the pupils, I contend that the amounts sanctioned are at the present time wholly inadequate.

Some years ago an epidemic of beri-beri broke out in the Victoria School and an inquiry was held by the Sanitary Commissioner of Bengal.

After a searching investigation he traced the attack to the mal-nutrition of the patients and insisted on an increase in the monthly allowance, which, after considerable references to various authorities and discussion, was at length sanctioned.

That was in pre-war days and, as every one knows since then prices for almost everything has increased by from 50 per cent. to 100 per cent. and at present there seems little prospect of any decrease. I regret to say, I understand it is a fact that this extra allowance demanded by the Sanitary Commissioner, sanctioned at that time and drawn ever since, has just lately been withdrawn. I think this needs no comment.

I consider that the whole organisation of the administration of these schools is thoroughly unsound.

These are the only two Government schools existing in the Province for European and Anglo-Indian children and they are administered by the Educational Department on precisely similar lines to that adopted for Indian schools. I think I may say without giving offence to anyone, that owing to the varied customs and conditions prevalent amongst the different races, similar organisations are unsuitable and totally different systems should be adopted for Anglo-Indian and Indian schools respectively.

The control of these two schools should in my opinion be vested in a body of Governors similar to that of the St. Paul's School at Darjeeling and the Head Master or Mistress respectively should be similar.

As regards the Victoria and Dow Hill Schools I contend that the heads (Master and Mistress respectively) are not endowed with sufficient authority to deal with their subordinates. The Master or Mistress, as the case may be, discovers grave breaches of duty or abuse of power, but has no authority to deal adequately with the offenders as would be the case in a similar school in the United Kingdom, but has to refer the matter to an Inspector with headquarters several hundred miles away, and by the time the offence is investigated, by lapse of time, it has been almost condoned and the Head Master's or Mistress's authority undermined and set at nought.

My Lord, I will not detain the Council longer. I trust I have said sufficient to justify my request for an inquiry and will therefore commend my resolution to the favourable consideration of Your Excellency's Government."

The Hon'ble Mr. Dunn said :—

"My Lord, the resolution which the Hon'ble Mr. Irwin has just put before us is one of great interest and importance. The schools to which he refers were founded some 20 years ago for the children of the subordinate officers in Government service—the children of the domiciled community. These schools are entirely run by Government and they are the only Government schools of their class in Bengal. For that reason alone, I think it is extremely desirable that we should be able to meet any criticism that may be raised in any discussion concerning their efficiency. Some weeks ago I had the opportunity of seeing both the institutions and I regret to say that in the main I must accept the detailed criticism which the Hon'ble Member has put before us. These schools are not as they should be. It is, I think, unnecessary for me to deal here in detail with the various points which the Hon'ble Member has raised. He has spoken of the understaffing of these institutions, the manner in which the Head Master and the Head Mistress are being overworked, the under-payment of the staff, the frequent changes on

the staff, the meagre feeding allowances for the children and the inadequacy of accommodation in both the schools. These defects are almost entirely due to the fact that the Dow Hill and Victoria Schools have outgrown their original organization. They were founded, as I have already said, some 20 years ago. At that time they were schools of a very inferior grade—by that I mean inferior from the scholastic point of view. They have since developed into high schools of considerable importance, and I regret to say that they are still staffed by members of the Subordinate Educational Service—a service which does not admit of the adequate recruitment of Europeans for this peculiar kind of work. Now I feel it my duty to point out that the Education Department has for long been aware of the general position at Kurseong. I have gone into old papers and there are many documents dating from the year 1913. In 1913 the position was carefully described by the Hon'ble Mr. Hornell. In 1914 and 1915 the position was again described, the condition of affairs was carefully examined by the Hon'ble Mr. Lyon, and in the case of the Girls' School the institution was carefully inspected. In 1916 a lengthy and comprehensive report was submitted to the authorities on the general position of both the institutions. I need hardly point out that in the last few years the Education Department has scarcely been in a position to find money for any serious kind of reform and the recommendations made by the Hon'ble Mr. Hornell have been inevitably held up mainly for lack of funds. To remedy this state of affairs the Hon'ble Member suggests the formation of a committee consisting of two official and two non-official members. I would point out, however, that all such a committee can do is to re-examine facts which are already known and to put on record conditions which have been already described. Committees as a rule are very useful for much discussion and for the creation of more literature, but I can assure you, Sir, that literature connected with these two schools is already much too ponderous and extremely complicated. What we require is not a committee but action of a very definite and a very speedy character. I am glad to be able to report that up to date action of a certain kind has been taken. As a result of my own inspection held a few weeks ago in Kurseong I have been able to remind the administration of the reports already forwarded connected with these schools; and I am able to point out what are the greatest needs of these schools. The first and the greatest need is that the staff should be somewhat better paid and that the allowances sanctioned for the food supplies of children should be kept up to their original standard. As regards the first, proposals are already before the Financial Department and the Hon'ble Member, and I have reason to believe that these proposals will be sanctioned almost immediately. As regards the second—the food allowance—I am glad to be able to state to the Hon'ble Member that I have been able to establish these allowances on their original rates, and any further money required will receive very careful and very speedy consideration. As regards the next main step which must be taken, namely, the complete reorganisation of these institutions, this will involve nothing less than the abolition of the Subordinate Educational posts in the two schools and the creation of a number of posts on a graded and incremental pay. That question is under consideration and I hope in a few days all the necessary documents will be forwarded to the General Department. For these reasons I contend that no Committee of enquiry is necessary at this stage. All the facts are known: the lines on which we should proceed have not only been laid down, as I have already pointed out, but a certain amount of action on these lines has already been taken. I think therefore that the intention of the Hon'ble Member will be better realised if he leaves the matter now in the hands of the Education Department."

The Hon'ble Mr. Irwin said:—

"My Lord, I think the Hon'ble Member has made a slight mistake in saying that these schools were founded only 20 years ago. I believe I am right in saying that it is more than 30 years since they were founded.

Rai R. C. Pal Bahadur.

With reference to the Committee asked for, the Hon'ble Member has said that these facts are already known ; from this I understand that they are also admitted. After hearing what the Acting Director of Public Instruction has said, I beg leave to withdraw my resolution as I have no wish to have it said that I have delayed reform or embarassed Government. At the same time I must say that it is with some reluctance that I ask this permission, as what I may almost call, the scandalous state of things to which I have drawn attention has been prevalent for a long time past and I sincerely trust that Government will expedite the proposed improvements as much as possible and further that what I have said with reference to the feeding of the pupils and the enhancement of the salaries and pensions of the teachers, *with retrospective effect*, will have the careful consideration of the authorities, having in view the considerable increase of prices of all the necessaries of life which has taken place in the last few years."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 23.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that in view of the Barabazar Improvement Schemes which are at present under consideration by the Calcutta Improvement Trust, a member of the Marwari community be appointed at an early date on the Board of Trustees for the improvement of Calcutta, and that the Marwari Association and the Marwari Chamber of Commerce be called upon to submit names of suitable persons for the consideration of the Government.

He said :—

"My Lord, the Calcutta Improvement Trust published their Barabazar scheme about two months ago. In Barabazar there is a large number of Marwari traders and there is a Marwari Chamber of Commerce, although like the Bengal Chamber of Commerce they have not the right to return a member either to the Corporation or to the Council or to the Improvement Trust. Government have kept the right of choosing members in their own hands for the protection of minorities. The Marwari community, taking the entire population of Calcutta, is in a minority, but having regard to the importance of the Barabazar improvement scheme and the Marwari interests affected thereby I think on the present occasion Government may assign one seat to the Marwari community. It may be said that Government have already filled up the four seats they had in their hands, but it is well known that when the exigencies of the situation require it, Government somehow or other manage to provide room. I think that having regard to the fact that Government have got at present four nominees on the Trust and have recently appointed as a member of the Trust an official who has at present no interest in the affairs of the Trust, Government might provide for one member for the time being to represent the Marwari community. It may be said that the Board has the power of co-opting members in connection with particular schemes ; but it is the practice to co-opt such members in the sub-committee and not on the Board. When objections are heard to any particular scheme members are co-opted from the localities concerned and some members of the Marwari community have no doubt been co-opted in connection with some schemes in the sub-committee. My Lord, it is not the sub-committee which is the final authority but it is the Board ; and the presence of a member of the Marwari community on the Board,

Rai D. C. Ghose Bahadur, Maharajadhiraja Bahadur of Burdwan.

when the report of the sub-committee will come up before that body, will no doubt be a great help to the Board. I think therefore that Government might see their way to accept my motion. The late Sir Edward Baker at one time in reply to an address presented by the Marwari Association said that when the interests of that community were affected, Government would no doubt nominate a member on the Improvement Trust. The time has now come when the Burabazar scheme will be considered by the Board and I submit that Government might see their way to appoint a member of the Marwari community on the Board."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I rise to support the proposal put forward by my friend the Hon'ble Rai Radha Charan Pal Bahadur. It is a very modest proposal; structural improvements are contemplated on a very large scale in the areas around Burabazar and as my friend has said a large proportion of that area is peopled by Marwaris. Formerly these people hailing mostly from Rajputana had not given much evidence of education in Western knowledge; and Government never thought at least of appointing a member of this community on such civic bodies as the Corporation and the Improvement Trust, but of late the Marwaris are rapidly making up this deficiency, and this deficiency is also supplemented by their energy and business habits in acquiring money. They are now a very prosperous community; and it is right that they should be taken notice of and not eschewed. I think, therefore, that some room might be made as suggested by my friend the Mover of this resolution. As I gather from the tenour of this speech, when the Improvement Trust will extend their operations, as is contemplated, over the Burabazar area, it will be time enough to put on the Trust a gentleman interested in that area and I think some room might be made by asking the holder of a seat recently appointed to retire for some time. That is what I gather my friend's meaning to be; but whatever course Government might be pleased to adopt I think there should be some recognition of the interests of the Marwari community in the Burabazar scheme."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I can very well sympathise with the desire of the Marwari community to have from among them a member on the Improvement Trust when the Burabazar scheme comes up. But I must confess, my Lord, that the arguments put forward by the Hon'ble Mover of this resolution or the Hon'ble Rai Debender Chunder Ghose Bahadur who has followed him, have not convinced me of the necessity of putting a Marwari gentleman on the Board. It has been said by the Hon'ble Rai Radha Charan Pal Bahadur that it is a practice with Government that whenever any special measures come up experts are put in the Council. I do not know, my Lord, if in connection with the Burabazar scheme a Marwari gentleman of the locality interested in the scheme could be termed as an expert and for that purpose whether the mover of this resolution would be justified in asking the Government to remove one of the nominated members of the Trust in order to make room for a Marwari gentleman.

Then, my Lord, we have heard the Hon'ble Rai Debender Chunder Ghose Bahadur mentioning that the Marwari community is an influential body. I do not challenge this, but, my Lord, I thought yesterday when speaking on the motion for the withdrawal of the Municipal Bill both the Hon'ble Rai Radha Charan Pal Bahadur and Rai Debender Chunder Ghose Bahadur were advocates against special electorates and this is a question more or less of pleading for a special community on the Trust. I frankly admit I am unable to follow such contradictory arguments. My Lord, whilst I do not wish in any way to belittle the importance of the vested interest that the Marwari community have in Calcutta what I do feel, however, is this: that the Government would not be justified for the reasons given by the

Rai R. C. Pal Bahadur.

Rai Bahadur to remove a nominated member from the Trust in order to make room for a Marwari gentleman. Under section 4 of the Act it is laid down that the Board shall consist of 11 trustees, viz., a Chairman, the Chairman of the Corporation, three other members of the Corporation, a member of the Bengal Chamber of Commerce, a member of the Bengal National Chamber of Commerce and four other persons; and these four are those that are nominated by the Government. As I have already said there is no vacancy at present; and according to the wording of the Act we cannot appoint 12 members. But when the Hon'ble Rai Radha Charan Pal Bahadur said that members could be co-opted only for sitting on the sub-committee, I think he must have overlooked section 19, which says that the Board may associate with themselves in such manner and for such period as may be prescribed by rules made under so and so any persons whose assistance they may desire in carrying out any of the provisions of the Act. So I think the best thing for him would be to get the Improvement Trust to appoint a Marwari gentleman to act as a co-opted member on the Board and not on the sub-committee so that the difficulty he apprehends could easily be got over. If, of course, on the other hand the Rai Bahadur feels so keenly for the Marwari community to be represented he might perhaps be sporting enough to make room by retiring as a member of the Corporation and to allow a Marwari gentleman to come in his place. But I do not think that the Government would be justified in removing one of the nominated members from the Improvement Trust. For all these reasons, I am unable to accept this resolution."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I am quite aware of the provision which has been referred to by the Hon'ble the Maharajadhiraja Bahadur of Burdwan. But the difficulty is that it is so difficult to persuade a masterful person like Mr. Bompas to co-opt a Marwari gentleman on the Board. If we could do that, there would not have been any necessity for moving this resolution.

Then, my Lord, the Hon'ble the Maharajadhiraja Bahadur of Burdwan used an unhappy expression 'remove.' I never meant that a Government nominee should be removed, but what I meant was that, as I know from experience in the Council, Government might, in view of the requirements of the situation, make some arrangements by which some room might be made for a member of the Marwari community. Quite recently there has been a member nominated by the Government. Government have got four nominations and they always look to the interests of the minority, that is the reason why the suggestion had been made.

As regards the graceful suggestion made by the Hon'ble Maharajadhiraja Bahadur that if I am so keen for the representation of the Marwari community, I might retire in favour of a Marwari member. I do not know whether it is the voice of somebody behind the Hon'ble Member which prompted the suggestion. However that may be, I know that nothing would give some persons greater pleasure than to see me out of the Board. But I have this satisfaction that people want me to be there."

The motion was then put and lost.

ADJOURNMENT.

The Council was adjourned *sine die*.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal, and
Secy. to the Bengal Legislative Council (offg.).

CALCUTTA,

The 24th July 1919.

B. S. Press—8-8-1919—1471J—357—S. C. R.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Durbar Hall at new Government House, Dacca, on Tuesday, the 12th August, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., D.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. LANG.

The Hon'ble MR. J. F. GRAHAM.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. F. A. A. COWELL.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. T. O. D. DUNN.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble SIR FRANK CARTER, KT., C.I.E., C.B.E.

The Hon'ble MR. A. R. MURRAY, C.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble Mr. G. A. BAYLEY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

The Hon'ble Mr. A. R. Murray made an oath of his allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

QUESTIONS AND ANSWERS.

The following questions, which were starred, were put and answered :—

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***1.**

Method of up the post of Principa and Circle Inspectors colleges.

(*a*) Is it a fact that some years ago the late Government of Eastern Bengal and Assam and the then Government of Bengal proposed that all administrative posts of Principalships and Circle Inspectorships should be held by members of the Indian Educational Service?

(*b*) Is it a fact that it was proposed to remove Rai Kumudinikanta Banerji Bahadur, M.A., from the Principalship of the Rajshahi College as he was the only member of the Provincial Educational Service holding an administrative post, namely, that of the Principal of a first grade Government college?

(*c*) Is it also a fact that though Lord Morley, the then Secretary of State for India, approved of the general principle that the administrative posts should be held by officers of the Indian Educational Service he did not accept the proposal of removing Rai Kumudinikanta Banerji Bahadur from the Principalship of the Rajshahi College?

(*d*) Will the Government be pleased to state why an exception was made in the case of Rai Kumudinikanta Banerji Bahadur, the Principal of the Rajshahi College?

(*e*) Will the Government be pleased to state why the Principalship of the Rajshahi College, which is a large first grade college has not been made an Indian Educational Service post, while the Principalships of small colleges, such as those at Krishnagar, Hooghly and Chittagong have been made Indian Educational Service posts?

(*f*) Will the Government be also pleased to state the number and description of the new Indian Educational Service posts sanctioned since the adoption of the principle referred to in clause (*a*) of the question?

(*g*) Are the Government aware of the fact that if Rai Kumudinikanta Banerji Bahadur, M.A., had been removed from the Principalship of the Rajshahi College and transferred to any other place, either as Professor or Additional Inspector, he would have been a considerable gainer pecuniarily, as he could then have officiated in the Indian Educational Service in which a large number of vacancies occur every year?

(*h*) Is it a fact that he was on the same pay (Rs 600 class II of the Provincial Educational Service) for about eleven years from 1908 to 1918?

(*i*) Are the Government aware that before the present post-graduate scheme was in operation, he used to teach M. A. students of Physics and many of them passed with high degrees and some of them are now professors in Government colleges?

The Hon'ble MR. T. O. D. DUNN.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble SIR FRANK CARTER, KT., C.I.E., C.B.E.

The Hon'ble MR. A. R. MURRAY, C.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble Mr. G. A. BAYLEY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

The Hon'ble Mr. A. R. Murray made an oath of his allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

QUESTIONS AND ANSWERS.

The following questions, which were starred, were put and answered :—

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***1.**

Method up the i of Prin and Circ Inspecto colleges.

(*a*) Is it a fact that some years ago the late Government of Eastern Bengal and Assam and the then Government of Bengal proposed that all administrative posts of Principalships and Circle Inspectorships should be held by members of the Indian Educational Service?

(*b*) Is it a fact that it was proposed to remove Rai Kumudinikanta Banerji Bahadur, M.A., from the Principalship of the Rajshahi College as he was the only member of the Provincial Educational Service holding an administrative post, namely, that of the Principal of a first grade Government college?

(*c*) Is it also a fact that though Lord Morley, the then Secretary of State for India, approved of the general principle that the administrative posts should be held by officers of the Indian Educational Service he did not accept the proposal of removing Rai Kumudinikanta Banerji Bahadur from the Principalship of the Rajshahi College?

(*d*) Will the Government be pleased to state why an exception was made in the case of Rai Kumudinikanta Banerji Bahadur, the Principal of the Rajshahi College?

(*e*) Will the Government be pleased to state why the Principalship of the Rajshahi College, which is a large first grade college, has not been made an Indian Educational Service post, while the Principalships of small colleges, such as those at Krishnagar, Hooghly and Chittagong have been made Indian Educational Service posts?

(*f*) Will the Government be also pleased to state the number and description of the new Indian Educational Service posts sanctioned since the adoption of the principle referred to in clause (*a*) of the question?

(*g*) Are the Government aware of the fact that if Rai Kumudinikanta Banerji Bahadur, M.A., had been removed from the Principalship of the Rajshahi College and transferred to any other place, either as Professor or Additional Inspector, he would have been a considerable gainer pecuniarily, as he could then have officiated in the Indian Educational Service, in which a large number of vacancies occur every year?

(*h*) Is it a fact that he was on the same pay (Rs. 600 class II of the Provincial Educational Service) for about eleven years from 1908 to 1918?

(*i*) Are the Government aware that before the present post-graduate scheme was in operation, he used to teach M. A. students of Physics and many of them passed with high degrees and some of them are now professors in Government colleges?

(*j*) Are the Government also aware that he is an outside examiner in M. Sc. Physics in the post-graduate scheme of the University; and that though he has been the Principal of a large Government college since 1897, he has, all the time he has been Principal, been doing the work of a full-time professor owing to the fact that Government did not sanction any additional posts?

(*k*) Has the attention of the Government been drawn to the reply of the Hon'ble Mr. H. Sharp in the Imperial Legislative Council to the Hon'ble Mr. Suba Rao Pantalu's resolution on the Public Services Commission on the 17th March, 1911, in which he stated that an Indian officer held the administrative post of a Principal of a first grade Government college and he mentioned Rai Kumudnikanta Banerji Bahadur as that officer?

(*l*) Is it also a fact that he was the only Indian at that time holding an administrative post in the Education Department in the whole of British India?

Answer by the Hon'ble Mr. Goode:—

"(*a*) This is not correct. There never was any proposal for including all posts of Principals in the Indian Educational Service, but in 1907, the Government of Bengal, as it was then constituted, proposed that the Principals of the Hooghly, Krishnagar and Ravenshaw Colleges should be Indian Educational Service officers. As regards Inspectorships, in 1904 the then Government of Bengal proposed that all Commissioners' divisions should be in charge of well trained European Inspectors in the Indian Educational Service.

(*b*) In 1912, in connection with some breaches of discipline which occurred among the students of the Rajshahi College, it was proposed that the Rai Bahadur should be transferred to the Krishnagar College, but as the post of Principal of the Rajshahi College was in the Provincial Educational Service cadre while that of the Krishnagar College was in the Indian Educational Service, it was suggested that the two posts should be interchanged. Government did not accept the proposal.

(*c*) In 1908, in sanctioning certain proposals in connection with the educational services in Eastern Bengal and Assam, Lord Morley "entirely agreed with Sir Lancelot Hare's recommendation that the Rajshahi College should be wholly manned with highly-qualified Indian officers recruited in India." Lord Morley did not accept any such general principle as suggested in the question.

(*d*) Owing to the successful administration of the College.

(*e*) The question of including the post of Principal of the Rajshahi College in the Indian Educational Service never arose, because the College was well administered. At Hooghly and Krishnagar the old arrangement under which the Principal was a Provincial Educational Service officer did not work well, and at Chittagong the post was so included in connection with the raising of the status of the College.

(*f*) A statement is laid on the table.

(*g*) Yes.

(*h*) Yes.

(*i*) The Rai Bahadur used to teach M.A. students of Physics, but Government have no definite information on the other points.

(*j*) Government believe it is true that he is an outside examiner in M.Sc. Physics in the post-graduate scheme of the University and that he has practically been doing the same amount of work as is usually done by a professor in a college. In 1917, however, the Presidency College Committee recommended that Principals should take an active part in the instruction of

the students, and an inquiry was accordingly made into the question of relieving the Principals of the larger Government colleges outside Calcutta of a portion of their administrative duties. Bursars were appointed in some colleges. The Rai Bahadur did not think a Bursar was necessary for Rajshahi College, but proposed that a steward and assistant librarian should be appointed. Government did not approve this proposal. It was found that the Rai Bahadur was doing 13 hours' teaching work a week but he was opposed to the idea of the Principal being relieved of any of this work.

(*k*) Yes.

(*l*) Government have no information."

Statement referred to in the answer by the Hon'ble MR. GOODE *to question No. I (starred) asked by the Hon'ble* BABU KISHORI MOHAN CHAUDHURI *at the Council Meeting of the 12th August, 1919, showing the number and description of the new Indian Educational Service posts sanctioned since 1910.*

No.	[illegible]
1	Professor of English, Dacca College.
2	Professors of Physics, Dacca College.
1	Professor of Mining, Civil Engineering College, Sibpur.
1	Professor of Mechanical Engineering, Civil Engineering College, Sibpur.
1	Principal, David Hare Training College.
2	Professors (Masters of Method), David Hare Training College.
1	Assistant Director of Public Instruction for Muhammadan Education, Bengal.
1	Professor of History, Presidency College.
1	Inspector of Schools, Rajshahi Division.
1	Principal, Bethune College.
1*	Principal, Hastings House School.
2*	Assistant Masters, Hastings House School.
15	

* Created temporarily for [illegible] post [illegible] the Principal [illegible]

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***II.**

(*a*) Is it a fact that the Hastings House property, Alipore has been placed by the Government of India at the temporary disposal of the Government of Bengal as a residential school for the sons of Indian gentlemen? Hasting School.

(*b*) If so, for how many years and on what conditions?

(*c*) Is it a fact that the said school has been founded to meet the wishes of the leaders of Indian society?

(*d*) If so, are the Government in a position to state the names and occupation or profession of these leaders?

(*e*) Is the Hastings School recognized by the Universities of Oxford, Cambridge, Dublin or Edinburgh?

(*f*) Is the said school recognized by the University of Calcutta?

(*g*) Will the Government be pleased to state whether the curriculum of studies in the Hastings School differs materially from that of the Oxford and Cambridge joint-board higher certificate examination or the Cambridge senior local certificate examination, or the matriculation examination of the Calcutta University?

(*h*) Has any highly qualified mathematical master been engaged for the said school as recommended by the assistant master in charge of the school?

(*i*) If not, what steps are the Government taking in this connection?

(*j*) Are the Government aware that the establishment of a Science Laboratory under the charge of a well-qualified science teacher is one of the greatest needs of the said school?

(*k*) If so, will the Government be pleased to state what steps (if any) they are taking in this matter?

(*l*) Will the Government be pleased to state whether any steps are being taken by the school authorities to teach scientific agriculture to sons of *zamindars*, who are reading in the said school?

(*m*) If not, are the Government considering the advisability of requiring the school authorities to make the necessary arrangements in this connection?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) The Hastings House property has been placed at the disposal of the Government of Bengal for the accommodation of the experimental public school for a period of 5 years from July 1915 on the following conditions:—

(*1*) The building shall be kept in repair by the Public Works Department at the expense of the school authorities.

(*2*) The school authorities shall pay all municipal taxes leviable in respect of the property.

(*3*) No permanent structure shall be erected on the estate without the previous consent of the Government of India.

(*4*) At the end of the 5 years the property shall be returned to the Government of India in the state in which it was when it was made over.

The Government of Bengal have recently asked for sanction to the continuance of these arrangements up till 1922.

(*c*) and (*d*) In 1913 a memorial was received praying for the establishment of a residential school for Indian boys on the lines of an English public school. A list of the names of some of the most prominent supporters of this proposal is laid on the table.

(*e*) The system of recognition of schools by Universities does not obtain in Great Britain and Ireland.

(*f*) Steps are in contemplation for affording facilities to pupils of the school for appearing at the examinations of the Calcutta University.

(*g*) The curriculum is based upon the requirements of the Cambridge Senior Examination and when necessary boys are prepared for the Cambridge Higher Certificate Examinations. Boys whose parents or guardians desire it are sent up for the Calcutta Matriculation examination.

(*h*) and (*i*) It is proposed to recruit a European assistant master in the Indian Educational Service to teach science and mathematics but his recruitment has been delayed owing to the war, and owing to the fact that the Secretary of State's sanction to the continuance of the school up to 1922 is still awaited.

(*j*) Yes.

(*k*) Two grants amounting to Rs. 4,080 have been sanctioned for science teaching. It is further proposed to equip the laboratory at a cost of Rs. 3,000.

(*l*) and (*m*) No."

List referred to in the answer to clauses (c) and (d) of question No. II (starred) for the meeting of the Council held on the 12th August, 1919.

1. The Right Hon'ble Lord Sinha of Raipur.
2. The Hon'ble Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
3. Maharaja Sir Prodyot Kumar Tagore Bahadur, Kt.
4. Maharaja Jagadindra Nath Ray of Natore.
5. Maharaja Ranajit Sinha of Nashipur.
6. Raja Pramada Nath Ray of Dighapatia.
7. Raja Kishori Lal Goswami.
8. The Hon'ble Sir R. N. Mookerjee, K.C.I.E.
9. Nawab Sirajul-Islam, Khan Bahadur.
10. Mr. K. C. De, C.I.E., I.C.S.
11. Mr. J. N. Gupta, I.C.S.
12. Mr. S. R. Das, Barrister-at-Law.
13. Mr. Bhupendra Nath Bose.

By the Hon'ble Sir Deba Prasad Sarbadhikari:—

***111.**

(*a*) Is it a fact that all, or nearly all, the munsifs in the first grade are now officiating as sub-judges and that since the creation of that grade a very large proportion of the officers of that grade has always officiated as sub judges? The Provincial Judicial

(*b*) Is it also a fact that few members of the first grade of munsifs get the benefit of the grade owing to the paucity of officers in that grade?

(*c*) Are the Government considering the desirability of increasing the strength of that grade from 25 to 50?

(*d*) With reference to the Hon'ble Sir Henry Wheeler's announcement on behalf of the Government in the course of the last budget debate that the first instalment of a scheme for the reorganization of the Provincial Judicial Service, costing over five lakhs of rupees, had been forwarded to the Government of India for sanction and that Rs 1,25,000 had been set apart in this year's budget for giving effect to the scheme after sanction was received, will the Government be pleased to state whether the sanction of the Government of India has since been received?

(*e*) If not, are the Government in a position to state approximately when it may be expected?

Answer by the Hon'ble Mr. Graham:—

"(*a*) Nearly all the munsifs of the first grade are now officiating as subordinate judges and since the creation of that grade some of the officers of that grade have always officiated as subordinate judges

(*b*) This portion of the question is not understood

(*c*) In view of the possibility of the adoption of a time scale, Government do not propose to alter the grading of the service at present

(*d*) The proposals of the Local Government for the reorganisation of the service are still under the consideration of the Government of India, but they have recently sanctioned as a temporary measure an increase in the pay of the lower grade of munsifs from Rs 200 to Rs. 250 a month

(*e*) Government are unable to make any forecast on this point"

By the Hon'ble Sir Deba Prasad Sarbadhikari:—

***IV.**

(*a*) Will the Government be pleased to state what steps (if any) have been taken to give effect to the provisions of the Bengal Juvenile Smoking Act, 1919, and when such steps were taken?

(*b*) What further steps are possible to be taken and when are they proposed to be taken?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) The Act came into force on the 1st February, 1919. Since then after carefully considering the whole matter, Government have authorised Head Masters of high or middle schools and Madrassahs in Calcutta, under section 4 of the Act to seize or destroy any tobacco, pipes or cigarette papers found in the possession of boys under 16 years of age attending their respective schools whom they find smoking in any street or public place. Government do not contemplate taking any further action at present."

By the Hon'ble Sir Deba Prasad Sarbadhikari:—

***V.**

(*a*) Will the Government be pleased to state what steps (if any) have been taken under section 5 of the Bengal Village Self-Government Act, 1919, (Bengal Act V of 1919)?

(*b*) What other steps are proposed to be taken under the Act and when?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) Commissioners of Divisions have been asked to report after consultation with district officers and district boards in what districts or parts of districts the Act should be extended and from what date, and what local areas should be declared unions. They have also been asked to make some definite proposals regarding the formation of circles. Meanwhile rules are being framed under section 101 of the Act so that they may be put into force when union boards are created."

By the Hon'ble Sir Deba Prasad Sarbadhikari:

***VI.**

(*a*) Will the Government be pleased to state whether it is intended to place the Subordinate Educational Service on a better basis?

(*b*) If so, when and in what way?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) The Hon'ble Member is referred to the reply to question No. 12 (*a*) asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri."

By the Hon'ble Babu Surendra Nath Ray:—

***VII.**

(*a*) Has the attention of Government been drawn to the case of a student, who was going to Puri in the last week of June, and who was crushed to death as a result of the overcrowding in the Bengal-Nagpur Railway train at the Howrah railway station?

(*b*) Will the Government be pleased to state what steps were taken by the railway authority or by the police to cope with the situation caused by the rush of passengers for Puri during the last Rathajatra festival?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) It is reported that a young Bengali collapsed from heat stroke on No. 9 platform at the Howrah station on the 26th June. The platform police inspector procured ice and rendered all assistance in his power. The man was then sent in an ambulance to the hospital, but died from heart failure before he arrived there. He was not crushed to death. There was not an unusually large number of passengers on the day in question, and the rush to Puri did not set in till two days later.

(*b*) Additional police were deputed for platform work at Howrah, Rishra, Serampore and Guptipara railway stations from the 28th June till the 7th July to deal with the rush of traffic in connection with the Rath Jatra festival."

By the Hon'ble Babu Surendra Nath Ray:—

***VIII.**

(*a*) Is it a fact that about the first or second week of July last, a man was found inside the out-door ward of the Mayo Hospital who desired admission to the hospital, and that the Doctor informed him that he could not be admitted as no bed was available? Illege dereli duty of the in cha Mayo

(*b*) Is it also a fact that though the man could not move and was lying on the floor, the Doctor in charge asked the man to go out of the hospital?

(*c*) Is it also a fact that he was then carried bodily and placed on the footpath in front of the Mayo Hospital?

(*d*) Is it a fact that the deceased lay there till the next morning when a passer-by phoned for an ambulance and that he was removed to the Campbell Hospital, where he died?

(*e*) Whose duty was it to arrange for the removal of the deceased to the Campbell Hospital, or any other hospital, when it was found that there was no accommodation in the Mayo Hospital?

(*f*) Are the Government aware of the opinion that has been expressed that it was a dereliction of duty on the part of the Doctor in charge of the Mayo Hospital in having the deceased who could not move and was lying on the floor, removed bodily to the footpath?

(*g*) Has the conduct of the Doctor the approval of Government? If not, what steps are the Government taking in the matter?

(*h*) Are the Government considering the desirability of issuing instructions to all Doctors in charge of hospitals, like that of the Mayo Hospital, that when there is no bed vacant in the hospital, proper steps be taken for sending such patients as are incapable of moving or are very unwell, to the Campbell Hospital or any other hospital?

Answer by the Hon'ble Mr. Payne:—

"Owing to the serious illness of Dr. C. H. Banerjee, House Surgeon on duty, the exact facts of the case are not yet known, but a full inquiry will be made and a reply given at a later date."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***IX.**

In connection with the admission of candidates to the Calcutta Medical College, will the Government be pleased to state—

(1) the principles, if any, on which the candidates are selected;

(2) the total number of applications received in the current year for admission;

(3) the number of applications received from—

(*a*) M Sc.'s,

(*b*) B Sc.'s (Honours),

(*c*) B. Sc.'s (Pass),

(*d*) I. Sc.'s (1st Division), and

(*e*) I. Sc.'s (2nd and 3rd Divisions);

(4) the total number of candidates admitted and how many of them are—

(*a*) M. Sc.'s,

(*b*) B. Sc.'s (Honours),

(*c*) B. Sc.'s (Pass),

(*d*) I. Sc.'s (1st Division), and

(*e*) I Sc.'s (2nd and 3rd Divisions);

(5) whether it is a fact that M Sc.'s, and B. Sc.'s have been refused admission while some candidates who have only passed the I. Sc. examination, some only in the 2nd and 3rd Divisions, have been admitted?

Answer by the Hon'ble Mr. Payne:—

"(*1*) The Hon'ble Member is referred to the statement which will be made in connection with the resolution on the same subject to be moved at the present meeting of the Council

(*2*) 947

(*3*)—

(*a*) 1

(*b*) 26

(*c*) 96

(*d*) 279

(*e*) 203.

(*4*)—

(*a*) Nil. (There was only one candidate who was selected but did not join).

(*b*) 14 *

(*c*) 38

(*d*) 75

(*e*) 18

Total .. 145

* At the time of selection no Honours list was available.

(5) The facts are given above. Only a limited number of B.Sc 's can be admitted, as they are entitled to go straight into the 2nd year class Their numbers are therefore restricted by the vacancies in that class A larger number of B Sc 's have been taken this year than have ever been admitted before, and the class space will not admit of a greater number being taken "

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***X.**

(*a*) Will the Government please state how many posts of Assessors and Accountants have recently been created in Calcutta in connection with the assessment of the Excess Profits Tax?

Filling posts of Assessors Accountants connection the assessment of the Excess Profits Tax.

(*b*) What is the pay of these posts?

(*c*) What are the names and educational qualifications of the persons who have been appointed to these posts and the previous services rendered by them in the Income-Tax Department? Have they had any training as Accountants?

(*d*) Have these posts been filled by the Income Tax Collector, Calcutta, or by the Government?

(*e*) Before filling up these posts, were applications invited by advertisement? If not, why not?

(*f*) Has any Indian been appointed? If not, why not?

Answer by the Hon'ble Mr. Payne:—

" (*a*) and (*b*) No posts of assessors or accountants have recently been created in Calcutta in connection with assessment of Excess Profits Duty Four examiners were appointed in that connection two on Rs 400 per mensem and two on Rs 300 per mensem

(*c*) The examiners appointed and their qualifications are given below

1. Mr. O. K. Martin, F.A., Calcutta University, with 17 years' service in the Calcutta Collectorate —Has been through a course of accounts
2. Mr. C. E Smith—24 years service in the Custom House, Calcutta —Has had experience in accounts in the Salt section
3. Mr Frank Robertson, B.A. (Cantab) —Higher Mathematics certificate, Glasgow University Late accountant in the firm of Messrs. Phillipe Perrone & Co
4. Mr. W Phillipe, High School Examination, with 15 years service in the Custom House, Calcutta, most of his service being in the Accounts section

(*d*) By the Income-tax Collector

(*e*) No Men of special qualifications were required and it will be observed that in three out of four instances they were taken from those already in Government service The appointments were for one year only

(*f*) No. The men selected were those who were thought most suitable for the work to be done It is estimated that 95 per cent of the Excess Profits Duty in Calcutta will be collected from European assessees, and there is already an Indian examiner under the Collector of Income-tax who deals with the accounts of Marwari firms "

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***XI.**

(*a*) Will the Government be pleased to state what steps have been taken to give effect to the recommendations of the Public Services Commission regarding the revised scale of pay and prospects of the Civil Assistant Surgeons?

(*b*) Is it a fact that a large number of Civil Assistant Surgeons have petitioned the Government praying for an early consideration of these recommendations and, if so, what orders have been passed on their petition?

(*c*) Is it a fact that Indian Medical Service officers and also Military Assistant Surgeons have been granted a substantial increment of salary?

(*d*) At the time of granting these increases, was any proposal before the Government to increase the salaries of Assistant Surgeons?

(*e*) If not, are the Government contemplating taking up the question now?

Answer by the Hon'ble Mr. Payne:—

"(*a*) The question of the pay and prospects of civil assistant surgeons has recently been examined by the Medical Services Committee appointed by the Government of India. The report of that Committee has recently been received by this Government and is under consideration.

(*b*) No such petitions have been received by Government, but the Surgeon-General is considering certain petitions from civil assistant surgeons which have been submitted to him.

(*c*) The pay of officers of the Indian Medical Service on military duty and of military assistant surgeons has been increased, and orders have just been issued regarding an increase of pay to officers of the Indian Medical Service in civil employment.

(*d*) and (*e*) As already stated, the question is under the consideration of Government in connection with the report of the Medical Services Committee."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***XII.**

(*a*) Will the Government be pleased to state what orders have been passed in regard to the revision of the scale of pay of the Head Constables of the Bengal Police, and from what date the orders have taken or will take effect?

(*b*) Will the Government be pleased to state how the revised scale of pay compares with the present scale? What is the percentage of increase, and what is the total yearly additional expenditure which the new scale involves?

(*c*) What is the maximum pay which a Head Constable may, in the ordinary course, expect to reach, according to the new scale?

(*d*) Have the salaries of the Sergeants of the Provincial Police Force been raised; if so, what is the percentage of increase and what is the total yearly additional expenditure involved?

(*e*) Is it proposed to utilize any portion of the amount provided in the Provincial Police Budget for 1919-20 for raising the pay of the Head Constables towards meeting the expenditure on account of raising the pay of the Sergeants? If so, how much and why?

Answer by the Hon'ble Mr. Kerr.—

"(*a*) (*b*) and (*c*) A scheme for the revision of the pay of Head Constables of the Bengal Police is under the consideration of the Secretary of State Pending receipt of his orders, Government are not prepared to publish the details of the scheme.

(*d*) The salaries of Sergeants in the Bengal Police have been raised with effect from the 1st June 1919 from Rs 100—$\frac{5}{2}$—125 to Rs. 125—$\frac{5}{2}$—150. The increase is 21 per cent, and the annual expenditure involved is Rs 15,600, of which Rs. 2,100 will be borne by the East Indian Railway Company

(*e*) As stated in the *communiqué* recently issued on this subject, a provision of Rs. 2,17,260 was made in the budget for 1919-20 on account of the cost of the scheme for the revision of the pay of Head Constables, on the assumption that the scheme would be brought into force on the 1st April As the scheme has not yet been sanctioned, there will be considerable savings under this head, and it has been decided to meet from the savings the cost during the current year of the increase of the Sergeants' pay, which will not exceed Rs 10,000."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XIII.**

(*a*) Is it a fact that the theft of food grains and petty dacoities are increasing in the district of Bankura? Increa of the petty in the Bankura

(*b*) Is it a fact that these are attributable to distress or famine in the above district?

(*c*) If so, will the Government be pleased to state why some portion of the relief works are being closed there?

(*d*) How much cloth has been distributed to the destitutes, males and females, respectively, up to June, 1919, in each of the villages in the said district?

(*e*) Are the Resolutions No 3- 99—2, dated Calcutta, the 25th March, 1905, and No 13—356—10, dated Simla, the 21st August, 1906 respectively, by the Government of India, Department of Revenue and Agriculture, Land Revenue, on the subject of the suspension and remission of land revenue and cess, in force in the Presidency of Bengal?

(*f*) If so, are the Government considering the desirability of urging on the Collector of Bankura to give effect to the resolutions referred to above without further delay?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes The Hon'ble Member is referred to the reports on the famine in Bankura published weekly in the *Calcutta Gazette*.

(*b*) Yes.

(*c*) On account of the resumption of agricultural operations the numbers of relief works, consisting in the excavation of tanks or reservoirs and the construction or repair of roads, rose from 51 in the beginning of June to 76 in the second week of July the number has fallen to 62 in the beginning of August

The question, however, indicates some misunderstanding of the measures adopted for relief in Bankura. By far the majority of the population relieved are not on relief works, but receive gratuitous relief

(*d*) Since the beginning of the relief operations and up to the end of June last, 8,182 pieces of cloth were distributed. It is not possible to give the figures village by village.

(*e*) Yes.

(*f*) The Collector cannot give effect to the resolutions unless the proprietors and tenure holders of Bankura make them really effective by suspending the collection of, or remitting, the rents of the actual cultivators. Moreover, the Collector is aware of the policy enunciated in the resolutions. The answer to the particular question is, therefore, in the negative, but the Collector's attention will be again drawn to the matter."

UNSTARRED QUESTIONS.

The answers to the following questions, which were unstarred, were laid on the table :—

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

Survey schools at Dacca and Mainamati.

(*a*) Is it a fact that many of the passed students of the Dacca survey class have found it impossible to join the second year class at Mainamati?

(*b*) How many students have passed from the first year class at Dacca, and how many of them have joined the Mainamati School for further studies?

(*c*) Is it a fact that the course of study at Dacca does not strictly correspond and lead up to the second year course at Mainamati, the two being based on different systems of grouping of subjects and different standards?

(*d*) What are the reasons for not opening the second year survey class at Dacca?

Answer by the Hon'ble Mr. Goode:—

"(*a*) Yes. The reason is that the 2nd year class at Mainamati is recruited from students from Dacca and three other schools as well as the passed students of the 1st year class. It is expected that there will be more vacancies from next year owing to the closing of the 1st year class there.

(*b*) Eighteen students passed from the 1st year class at Dacca; 9 students were admitted from Dacca.

(*c*) No the course at Dacca leads up to the 2nd year course at Mainamati, being almost the same as the 1st year course at the latter school, but with some minor additions, viz., a little engineering and estimating.

(*d*) Government decided that it was desirable in the interests of survey education to centralise the higher training at Mainamati, where the terrain is much more suitable than at Dacca for a thorough training in practical surveying."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

2.

Weaving schools of Bengal.

Will the Government be pleased to lay on the table a statement showing the progress made and results obtained by the weaving schools at Malda, Cox's Bazar, Bankura, Pabna and Tangail and note in each instance the number of pupils coming from the local weaving classes and the cost of maintenance of the schools up to date?

Answer by the Hon'ble Mr. Goode:—

"Two statements are laid on the table—

(*i*) showing the number of pupils attending weaving schools and the numbers passed out during the last three years, and

(*ii*) expenditure on the upkeep of the schools since their establishment.

Practically all the pupils attending these schools are drawn from the weaving community."

Statement referred to in the answer by the Hon'ble Mr. Goode *to question No. 2 (Unstarred) asked by the* Hon'ble Babu Brojendra Kishor Ray Chaudhuri *at the Council meeting of the 12th August, 1919, showing the number of pupils attending the weaving schools and the number passed out.*

No. I.

Name of Schools	Year 1916-17		Year 1917-18		Year 1918-19.	
	Number of students admitted.	Number of student passed out	Number of student admitted.	Number of student passed out.	Number of student admitted	Number of students passed out.
Bankura	38	36	42	39	40	40
Cox's Bazar	31	14	25	17	28	20
Malda	56	47	52	48	60	51
Pabna	47	40	38	33	40	34
Tangail (established in September 1917)	..	...	28	26	61	56
Total ...	172	137	185	163	229	201

Statement referred to in the answer by the Hon'ble Mr. Goode *to question No. 2 (unstarred) asked by the Hon'ble* Babu Brojendra Kishor Ray Chaudhuri *at the Council meeting of the 12th August, 1919, showing the cost of upkeep of the district schools for the last three years.*

No. II.

Name of Schools.	Government Expenditure for the year—							
	1911-12.	1912-13.	1913-14.	1914-15	1915-16	1916-17	1917-18	1918-19.
	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs.
Established in (1911)—Bankura	1,505	1,368	1,251	1,243	1,454	1,346	1,548	1,778
Established in (1913)—Cox's Bazar ...	...	...	1,043	1,148	1,248	1,231	1,294	1,226
Established in (1914)—Malda	...	...	...	1,120	1,382	1,525	1,390	1,751
Established in (1915)—Pabna	...	...	...	...	1,230	1,733	1,336	1,710
Established in (1917)—Tangail	..	...	...	...	...	...	849	1,666

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Industrial and technical schools for females independent of missionary control.

(*a*) How many industrial and technical schools for girls and women are there in the Presidency which are not under the control of missionaries?

(*b*) In view of the difficulties of the mission workers to reach the Hindu and Moslem *zenana* ladies, are the Government considering the desirability of devising a scheme of industrial and technical education for *zenana* women, independent of missionary influence?

Answer by the Hon'ble Mr. Goode:—

"(*a*) There are, strictly speaking, no technical classes or schools for girls in the Presidency which are not under missionary control. There are, however, industrial classes which make and sell plain needlework attached to the following:—

(1) Mahila Silpa Samiti, Calcutta;

(2) Hari Silpa Samiti, Calcutta;

(3) Hindu Orphanage, Calcutta; and

(4) Widows' Home at Wari, Dacca.

These are privately managed samities and institutions, of which the last two receive grants from Government amounting to Rs. 42 a month in the case of the Hindu Orphanage, Calcutta, and Rs. 77 a month in the case of the Widows' Home at Wari. The Mahila Silpa Samiti was at one time aided by the Department but in 1915 the grant was withdrawn as it was badly managed and its work was unsatisfactory.

(*b*) It is reported that there is no real demand for technical instruction amongst *zenana* ladies and in any case it is a kind of undertaking which must depend largely upon local workers and missionaries. It is not proposed therefore to devise any scheme such as that referred to. But Government would be prepared to consider favourably the question of making grants to institutions such as those mentioned above, provided they are based upon local support and do satisfactory work."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

4.

Raising of the pay of typists serving under heads of departments attached to the Bengal Secretariat.

(*a*) Will the Government be pleased to state whether it is in contemplation to raise the grade pay of the typists serving under heads of departments attached to the Secretariat (*e.g.*, the offices of the Director of Public Instruction, the Inspector-General of Police and the Bengali Translator to Government and others)?

(*b*) Are the Government aware that the typists in these departments feel that they have a just grievance in being deprived of the increment which was sanctioned for Secretariat typists last year?

Answer by the Hon'ble Mr. Payne:—

"(*a*) No.

(*b*) The typists in the office of the Director of Public Instruction mitted a memorial on the subject recently which was rejected

There has always been some differentiation between the Secretariat and the offices of Heads of Departments in the matter of pay."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

5.

(*a*) Will the Government be pleased to lay on the table a statement showing the income and expenditure of the Hastings School, Alipore, from 1915 to the period ending 31st March, 1919? Hasti Alipo

(*b*) Will the Government be pleased to lay on the table a statement containing the number of boarders, day-boys and day-boarders in each of the forms of the Hastings School, Alipore, according to their religion, nationality and caste during each of the years from 1915 to the period ending 31st March, 1919, and also the occupation or profession of their guardians?

(*c*) Is it a fact that the Hastings School is under the immediate supervision of the Director of Public Instruction, Bengal?

(*d*) If so, will the Government be pleased to state whether the general rule No 13, regarding corporal punishment, framed by the Director of Public Instruction, Bengal, with special reference to high schools, as published on page 168 of the Rules and Orders of the Education Department of Bengal, 4th edition, is in force in the Hastings School?

(*e*) If not, what is the general practice regarding the infliction of corporal punishment to the boys of the said school?

(*f*) Is it a fact that a boy in Form V is authorised by the school authorities to inflict corporal punishment to other boys of the said school in the case of any breach of discipline, especially during the hours of games?

(*g*) Will the Government be pleased to state whether there is any ground for apprehension as regards the abolition or amalgamation of this school with some other institution?

(*h*) Is this school meant for the sons of rich men only?

(*i*) If so, will the Government be pleased to state the reason why a considerable amount of provincial revenue is applied to make up the financial deficiency of the said school?

(*j*) Will the Government be pleased to state what steps they are taking to improve the financial condition of the said school?

(*k*) Will the Government be pleased to state what steps the members of the Advisory Committee are taking to make the institution self-supporting as far as possible?

(*l*) Will the Government be also pleased to state whether the members of the Advisory Committee ever attempted to raise sufficient funds from among the leaders of Indian society, whose sons are benefited, with a view to the creation of endowments for the said school?

Answer by the Hon'ble Mr. Goode:—

"(*a*) A statement showing the income and expenditure on the school is laid on the table.

(*b*) Statements giving the required information so far as is possible are laid on the table.

(*c*) and (*d*) The reply is in the affirmative.

(*e*) The question does not arise.

(*f*) The school prefect is made responsible for the general discipline but is not permitted to inflict corporal punishment.

(*g*) This Government has recommended that the school should be kept on an experimental basis until the end of 1922. Whether it will be made permanent or not will depend on the amount of public support it receives.

(*h*) and (*i*) It is true that there has been an impression that the school is meant for the sons of rich men only, but that is not correct, although fees must necessarily be high in a school of this kind. In the opinion of the Director of Public Instruction the education imparted in this school is "immeasurably superior" to that given in any other school in the Presidency, and though Government recognises that such a school must ultimately be either self-supporting or liberally aided by private benefactions, it believes that the expenditure at present incurred while the school is in the experimental stage, is amply justified.

(*j*) It is proposed to make the school more popular by the adoption of the following measures :—

(*1*) The development of the day side of the school

(*2*) Improvement of the facilities for science teaching

(*3*) Appointment of two more European masters.

(*4*) Provision, if it is found practicable, of separate messing arrangements for sons of orthodox Hindus.

(*5*) The offer of concessionary rates of fees for sons of Government servants.

No final decision has been reached on the last point. A proposal to introduce separate messing arrangements for the orthodox is under discussion

(*k*) The members of the Advisory Committee and others have offered five scholarships for competition Government are consulting them as to the measures necessary to make the school more popular.

(*l*) The reply is in the negative The school is still being continued on an experimental basis, but the question of a permanent endowment is one which will have to be considered."

Statements referred to in the Answer by the Hon'ble MR. GOODE *to Question No. 5 asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council Meeting of the 12th August, 1919.*

STATEMENT OF STUDENTS, SHOWING THEIR NUMBER AND CLASSIFICATION.

YEAR.	FORM.	No. of Boarders.	No. of Day Boarders.	No. of Day Boys.	Total.	Occupation of parents or guardians.
July 31st, 1915 ...	V	4	...	1	5	
	III	4	...	...	4	
	II	2	...	...	2	
	I	6	...	1	7	
	...	16	...	2	18	Land owners 2, Government servants 5, mercantile 4, legal practitioners 7, professional nil.

Year.	Form.	No. of Boarders.	No. of Day Boarders.	No. of Day Boys.	Total.	Occupation of parents or guardians.
March 31st, 1916 ...	V	7	...	...	7	
	IV	8	...	...	8	
	III	7	2	...	9	
	II	6	3	...	9	
	I	3	1	...	4	
	...	31	6	...	37	Land owners 8 Government servants 9, mercantile 5, legal practitioners 14, professional 1.
March 31st, 1917 ...	VI	4	...	1	5	
	V-V	6	...	...	6	
	V-L	3	...	...	3	
	IV	6	3	...	9	
	III	7	3	..	10	
	II	3	2	1	6	
	I	1	...	1	2	
	...	30	8	3	41	Land owners 11, Government servants 11, mercantile 6, legal practitioners 12, professional
March 31st, 1918 ...	V	4	1	..	5	
	V-V	1	...	...	1	
	V-L	4	1	...	5	
	IV	11	3	4	18	
	III	5	1	1	7	
	II	1	...	3	4	
	I	2	2	..	4	
	...	28	8	8	44	Land owners 18, Government servants 10, mercantile 9, legal practitioners 6, professional 1
March 31st, 1919 ...	V	2	2	..	4	
	IV	8	1	4	13	
	III	5	1	6	12	
	II	6	1	5	12	
	I	3	2	2	7	
	...	24	7	17	48	Land owners 21, Government servants 6, mercantile 9, legal practitioners 10, professional 2

STATEMENT SHOWING THE NATIONALITY OF STUDENTS.

Year.	Europeans and Anglo-Indians	Hindus.	Muhammadans.	Parsees.	Total.
916-17 ...	2	32	6	1	41
917-18 ...	2	33	8	1	44
918-19 ...	1	39	8	...	48

STATEMENT SHOWING THE OCCUPATION OF PARENTS OR GUARDIANS.

	July 1915.	March 1916	March 1917.	March 1918.	March 1919.
Government servants ...	5	9	11	10	6
Mercantile	4	5	6	9	9
Legal practitioners ...	7	14	12	6	10
Professional	...	1	1	1	2
Land owners	2	8	11	18	21
Total ...	18	37	41	44	48

Statement referred to in the answer by the Hon'ble MR. GOODE *to Question No. 5 asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council Meeting of the 12th August, 1919, showing the income and expenditure of the Hastings School, Alipore, from 1915-16 to 1918-19.*

Year	Income.	Expenditure.
	Rs.	Rs.
1915–1916	21,274	42,104
1916–1917	43,569	60,658
1917–1918	38,522	55,669
1918–1919	37,064	49,231

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

6.

Pollution of Tolly's Nullah from discharges of Russa Distillery.

(*a*) Are the Government aware of the fact that the water of the Adi Ganga (Tolly's Nullah) is considered sacred by the Hindus, and that pilgrims who visit the temple in Kalighat from various parts of India drink this water?

(*b*) Are the Government considering the desirability of urging on the Sanitary Commissioner, Bengal, and the local authorities, the necessity for the prevention of the pollution of the said water with foul and objectionable discharges from the Russa Distillery in the district of the 24-Parganas?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) The reply is in the affirmative. The Sanitary Commissioner recently inspected the distillery and his proposals are now under consideration."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

7.

With reference to the answer to unstarred question No. IX of the 3rd July, 1918, will the Government be pleased to state whether they are at present considering the desirability of introducing the boy-scout movement in selected high schools?

Intr of b mov selec scho

Answer by the Hon'ble Mr. Goode:—

"The chief difficulty in introducing the boy-scout movement into schools arises from the lack of trained scout-masters. A Governing Body entirely independent of Government has been constituted to guide and control the movement. The boy-scout movement at Home is inspired by the idea of spontaneity in which the value of individual effort and initiative is recognized and the idea of discipline to which the boy-scout voluntarily submits. State control clashes with these ideas, and Government, while anxious that the movement shall be encouraged under the competent guidance and control which now exist, are not prepared to take any active part in its expansion unless concrete proposals are made by the Governing Body. Government are now, in consultation with that body, considering how far it can assist in the training of scout-masters. At present two school troops have been formed in Calcutta in addition to troops drawn from territorial areas in the city."

By the Hon'ble Babu Siv Narayan Mukharji:—

8.

Will the Government be pleased to lay on the table—

Impro drinki and e tanks areas.

(*i*) the circular orders of Government issued from the Municipal Department of the Secretariat relating to the question of improving the drinking water in rural areas since the informal conference held in Darjeeling in October, 1912,

(*ii*) the statistics showing the number of tanks excavated at the instance of the district and local boards of the Presidency in rural areas out of the proceeds of the public works cess during the last three years; and

(*iii*) the details of works executed by the district boards during the last three years out of the amounts of the public works cess surrendered to them?

Answer by the Hon'ble Mr. Goode:—

"(*i*) Copies of the Circular orders are laid on the Library table.

(*ii*) A statement is laid on the table, but it is not possible to say what percentage of the public works cess receipts was spent on these works as district boards do not keep a separate account of expenditure out of these receipts.

(*iii*) The Hon'ble Member is referred to the reply given to (*ii*) above."

Statement referred to in the answer by the Hon'ble MR. GOODE *to Question No. 8 (unstarred) asked by the Hon'ble* BABU SIV NARAYAN MUKHERJEE *at the Council Meeting of the 12th August, 1919, showing the number of tanks excavated or re-excavated by the District and Local Boards in Bengal during 1916-17, 1917-18 and 1918-19.*

DISTRICT	NUMBER OF TANKS EXCAVATED OR RE-EXCAVATED BY THE DISTRICT AND LOCAL BOARDS DURING			REMARKS
	1916-17.	1917-18.	1918-19.	
Burdwan ...	14	2	...	Besides 6 are under construction.
Birbhum ...	...	...	...	
Bankura ...	3	...	1	Besides 1 is under re-excavation.
Midnapore ...	...	...	3	Besides 14 are under construction.
Hooghly ...	8	3	2	
Howrah ...	8	5	...	Besides 6 are under construction.
24-Parganas ...	10	13	4	Besides 39 are under construction.
Nadia ...	...	...	...	
Murshidabad ...	8	2	1	
Jessore ...	5	25	10	
Khulna ...	15	24	18	
Dacca ...	9	3	3	Besides 5 are under construction.
Mymensingh ...	10	12	8	
Faridpur ...	15	45	34	
Bakarganj* ...	7	17	18	*Besides 22 and 7 tanks were excavated by the Colonization and Khas Mahal Departments, respectively, the ⅔rds cost of which was contributed by the District Board.
Chittagong ...	69	1	2	
Tippera ...	19	33	7	
Noakhali ...	67	15	6	
Rajshahi ...	17	10	1	
Dinajpur ...	...	2	...	
Jalpaiguri ...	...	...	1	
Rangpur ...	1	3	...	
Bogra ...	3	...	...	Besides 3 are under excavation.
Pabna ...	1	2	1	
Malda ...	3	...	...	

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

The Subordinate Educational Service.

9. Is it a fact that on account of the stringency imposed by the War a number of posts in the higher grades of the Subordinate Educational Service have been abolished and replaced by the same number of posts in lower grades

causing a depreciation in the average pay of the service and reduction in the number of promotions from lower grades? If so, how long do the Government intend to continue this arrangement?

Answer by the Hon'ble Mr. Goode:—

"It is a fact that owing to the financial stringency caused by the war, appointments in the Subordinate Educational Service were not (until the middle of 1918) made strictly in accordance with the approved actuarial scale. The grading of the service is somewhat uneven, but the whole question will be looked into in connection with the reorganisation of the Subordinate Service."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10.

The Subordinate Educational Service.

Is it a fact that the average age of officers in classes I to IV of the Subordinate Educational Service is at present much lower than what it was before the partition of Bengal owing to the first appointment of young men (mostly lecturers and demonstrators) in the higher grades, and the number of retiring officers in the higher grades, in proportion to the total strength of the service, becoming gradually less and less, and that as a result of this the promotion of officers in the lower grades remains blocked for a long time?

Answer by the Hon'ble Mr. Goode:—

"As entries of age in the Subordinate Educational Service list were not made till 1915 it is not possible to state whether the average age is now much lower than what it was before the partition, but it is true that first appointments of young men to higher grades have been made in many cases. This is due to the fact that it has been necessary to recruit men with adequate qualifications from outside the grades to fill the posts of lecturers in colleges owing to extended affiliation. The whole question of grading and promotion will be looked into when the service is reorganised."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

11.

Improvement of the staff and increase of pay of teachers in Government High Schools.

Are the Government aware that there is a widespread feeling of discontent among the teachers of Government high schools on account of the delay in the utilization of the grant of Rs 3,09,876 for improving the staff and increasing the pay of teachers of Government high schools, and particularly for the deflection of nearly two years' grant for other purposes?

Answer by the Hon'ble Mr. Goode:—

"The reply to the first part of the question is in the affirmative. There was no deflection of the amount earmarked for improving the staff and increasing the pay of Government high school teachers."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

12.

Reorganization of the Subordinate and Lower Subordinate Educational Service.

(*a*) Will the Government be pleased to state what progress, if any, has been made towards the reorganization of the Subordinate Educational Service and Lower Subordinate Educational Service, about which assurances were given by Sir S. P. Sinha (now Lord Sinha), in the Bengal Council of the 20th November, 1917?

(*b*) Is it a fact that a large number of officers in the Lower Subordinate Educational Service, and also outside the graded service, have submitted petitions for the increment of their pay and improvement of their prospects? If so, will the Government be pleased to state what action has been taken thereon? Can these officers expect any relief before the coming Pujas?

(*c*) Are the Government considering the desirability of granting bonuses to low-paid educational officers from the unutilized amount of the Rs. 9 lakhs Imperial grant for two years?

Answer by the Hon'ble Mr. Goode:—

"(*a*) As explained by Lord Sinha in the speech referred to, the pay and grades of the Subordinate Educational Service and Lower Subordinate Educational Service cannot be fixed until the pay of the Provincial Educational Service and the grades thereof are fixed The question of the reorganisation of the higher services of the Education Department is now under the consideration of the Secretary of State in connection with the recommendations of the Public Services Commission. Till orders on this question are passed no scheme for the improvement of the Subordinate Educational Service and Lower Subordinate Educational Service can be elaborated

(*b*) Petitions from the clerks in the office of the Librarian, Bengal Library, and in that of the Director of Public Instruction, Bengal, praying for the grant of increments or allowances in view of the high prices at present prevailing, were submitted to Government. In view of the recent orders of Government passed by the Financial Department sanctioning war allowance to officers of Government drawing salaries of over Rs 12 but not more than Rs. 50, no further concession is at present practicable."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

13.

Improvement of the lot of teachers in Government schools.

With reference to the following extract from the West Quinquennial Report on education in India, namely:—

> "Except for the grant of local allowances to Head Masters and Head Mistresses and to Assistant Head Masters and Assistant Head Mistresses mentioned in paragraph 21 above, the quinquennium has seen no improvement in the lot of the teachers in Government schools. A revised scheme for the improvement of secondary education in the Presidency of Bengal was submitted to the Government of India in August, 1916. This was merely an amalgamation and adaptation of the proposals which were submitted in 1908 to the Government of India at their request by the Government of Bengal and the Government of Eastern Bengal and Assam"

Will the Government be pleased to lay on the table the papers containing the "proposals" referred to above, and to state how far they have materialized?

Answer by the Hon'ble Mr. Goode:—

"Government regret they are unable to lay on the table the papers containing their latest proposals for the improvement of pay and prospects of secondary school teachers as the receipt of the Government of India's sanction is still awaited. This Government have asked that sanction should be given to these proposals with effect from the 1st April, 1919."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

14.

Admission of students into the Calcutta Medical College

(*a*) Will the Government be pleased to state—

(1) how many students applied for admission into the Calcutta Medical College this year and how many of them have been actually admitted?

(2) among the applicants admitted and those rejected how many were—

(*i*) B.Sc.'s with Honours;

(*ii*) B.Sc.'s;

(*iii*) I.Sc.'s, 1st Division;

(*iv*) I.Sc.'s, 2nd Division;

(*v*) I.Sc.'s, 3rd Division; and

(*vi*) I.A.'s?

(*b*) Is it a fact that a notice was hung up at the Calcutta Medical College this year that students appearing at the I.Sc. Examination held in 1919 would not be admitted and a post-card notice was actually issued to this effect to applicants who had appeared at the I.Sc. Examination, 1919?

(*c*) Is it a fact that notwithstanding such notice many of the applicants who have passed the I.Sc. Examination, even in the 3rd Division, have been admitted?

(*d*) Is it a fact that students of very inferior merit have been preferred to those possessing far superior educational qualifications?

(*e*) Is there any principle on which the selection of applicants for admission into the Medical College is based?

(*f*) What weight is given to educational qualifications?

Answer by the Hon'ble Mr. Payne:—

"(*a*)—

	Applied	Admitted
(*i*)	947	145
(*ii*)	Admitted.	Rejected.
(*i*)	14	12

(At the time of selection no Honours list was available)

(*ii*)	38	58
(*iii*)	75	204
(*iv*)	17	166
(*v*)	1	19

(*vi*) I.A.'s, B.A.'s and I.Sc.'s of other provinces are not eligible for admission. Their number was 156.

(*b*) No. Such candidates were informed, as a matter of courtesy, that they had little chance of admission this session, as the results of the I.Sc. examination were not expected to be published before the first week of July.

(*c*) No. Only one candidate in the third division, who had passed with the triple combination of Physics, Chemistry and Botany was admitted.

(*d*), (*e*) and (*f*) The Hon'ble Member is referred to the statement which will be made in reply to the resolution dealing with the same subject to be moved by the Hon'ble Babu Bhabendra Chandra Ray."

By the Hon'ble Babu Akhil Chandra Datta:—

15.

Number of interpees set at liberty.

Will the Government be pleased to state the number of internees who have been set at liberty during the last twelve months and the number of those who are still under detention?

Answer by the Hon'ble Mr. Kerr:—

"The number of persons interned under the Defence of India Act, who have been released from its restrictions during the twelve months commencing from the 1st August, 1918, is 423. The number of persons detained under the Defence of India Act on the 31st July, 1919, including those in home domicile, is 342. Of these 119 have been ordered to be released as soon as they have furnished the usual security."

By the Hon'ble Babu Akhil Chandra Datta:—

16.

Control of the price of rice in certain districts.

Are the Government considering the desirability of taking action under the Articles of Commerce Ordinance, 1914 (IX of 1914), read with the provisions of the Emergency Legislation Continuance Act, 1915 (I of 1915), for controlling the price of rice in the districts of Tippera, Chittagong and Noakhali?

Answer by the Hon'ble Mr. McAlpin:—

"The attention of all the local officers, including the District Officers of the three districts in question, has been drawn to the fact that action can be taken under the ordinance to authorise Collectors to take possession of stocks of rice, if there be ground of holding that such stocks are being unreasonably held from the markets, and certain districts have been subject to special attention. Government, however, are not prepared to announce the district in which further action under the ordinance may be taken."

By the Hon'ble Babu Bhabendra Chandra Ray:—

17.

Rice consumption.

(*a*) Have the Government any idea as to the average quantity of rice and other food grains required under normal circumstances, for consumption per head of the population in Bengal, as compared with the quantity of food grains so required in the other provinces in India?

(*b*) What quantities of food grains per head of the population were actually available for consumption in Bengal during each of the last five years, as compared with the respective quantities so available in the other provinces during the corresponding periods?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Government have no reason to suppose that the average quantity of food grains required for consumption per head in Bengal is either greater or less than the average quantity so required in other provinces. It has been estimated that one-fifth of a ton of food grains is required per head per annum for the population throughout India, including provision for seed grain and cattle; but there is ground for believing that this is an over-estimate.

(*b*) Government are not prepared to give an estimate of the quantities of food grains available per head during the last five years in the various provinces, since owing to the different degrees of accuracy attributable to the data upon which such estimates have to be based in each province the figures would be altogether misleading."

By the Hon'ble Babu Bhabendra Chandra Ray:—

18.

Export of rice

(*a*) Was the decision of the Food-stuffs Commissioner, or the Government of India, to treat Bengal as a "surplus province" and to allow export of rice therefrom to the other provinces and foreign countries, arrived at in consultation with the Government of Bengal?

(*b*) If so, when was the said decision come to, and upon what expression of opinion on the part of the Local Government or the Director of Civil Supplies, Bengal?

(*c*) What were the materials before the Local Government or the Director of Civil Supplies when such consultation took place, to show that Bengal held surplus stocks of rice?

(*d*) Was any regard paid to the statistics of the last few years showing how the net supply of rice in Bengal per head of the population stood in comparison with the minimum requirement for consumption, and to the failure of the crops last year as also to the diminished imports of 1918-19?

(*e*) How often, and on what dates, since the above decision of the Food-stuffs Commissioner, have the Government of Bengal intimated to the Food-stuffs Commissioner their opinion on the rice position in Bengal?

(*f*) Did the Local Government in any of these communications advocate reduction in exports from Bengal? If so, on what dates?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*), (*b*) and (*c*) The question assumes that on some definite date it was decided by the Government of India or the Foodstuffs Commissioner to treat Bengal as a surplus province The Government of Bengal are not in a position to answer the question on behalf of the Government of India or the Foodstuffs Commissioner; but they understand that no definite date can be assigned to such a decision. On his appointment the Foodstuffs Commissioner found Bengal actually exporting rice and he proceeded to regulate those exports. The Government of Bengal were not formally consulted: but they submitted their views, when comment was necessary. It has already been explained in Council that as a result of the census of rice stocks held in November last and on a consideration of all the facts regarding the situation, Government were satisfied that Bengal could not be treated as a deficit Province.

(*d*) Yes

(*e*) and (*f*) The Government of Bengal do not correspond officially with the Foodstuffs Commissioner. They have, however, on various occasions and in different ways, intimated their opinion to the Government of India and the Foodstuffs Commissioner; and, as the result of a representation made to the Government of India in May last, the allotments for export of rice from Bengal have been reduced progressively each month"

By the Hon'ble Babu Bhabendra Chandra Ray:—

19.

Duties of the Director of Civil Supplies.

(*a*) In what relation, in point of administrative control and supervision, does the Director of Civil Supplies stand towards the Local Government and the Food-stuffs Commissioner, respectively?

(*b*) Is it the case that the Director of Civil Supplies has practically no function to discharge, even as an agent of the Food-stuffs Commissioner, in regard to the export of rice from Bengal?

(*c*) If not, what are his duties and powers in this behalf?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The Director of Civil Supplies, Bengal, is under the direct orders of the Foodstuffs Commissioner in all that concerns (*1*) the working of the system for the control of the inter-provincial movements of foodstuffs and (*2*) the licensing of imports of rice from Burma, its wholesale prices in Calcutta, and its distribution among the various provinces. He is responsible to the Local Government as regards the control of movements of foodstuffs and other commodities within the province.

(*b*) and (*c*) It is not the case. His general duties as agent of the Food-stuffs Commissioner for the control over the export of rice from Bengal are—

(*1*) to hold up certificates issued by the Director of Civil Supplies of any other province for quantities of rice in excess of the allotment made to that province;

(*2*) to inform other Directors from what districts it is advisable or otherwise for them to draw supplies and watch that excessive demands are not concentrated upon any particular district at any one time;

(*3*) to collect statistics as to the movements of rice within and from the province and investigate any cases in which it appears that uncertificated export has taken place; and

(*4*) to watch the general position and report to the Foodstuffs Commissioner when any new restriction on export appears necessary.

On behalf of this Government—

(*a*) to take steps to prevent competitive purchase by certificate-holders;

(*b*) to discourage movements of rice within the province which appear to be intended to facilitate export to other provinces and which threaten to result in denuding particular areas; and

(*c*) to watch the position on behalf of the Local Government and to keep the Local Government fully informed regarding the situation."

By the Hon'ble Babu Bhabendra Chandra Ray:—

20.

Control over the export of rice.

With reference to the statement made in answer to my unstarred question No. 46 (*a*) of the 3rd July last, to the effect that exports are controlled by the Food stuffs Commissioner, will the Government be pleased to state—

(*i*) what local agency, if any, is there in Bengal through which the Commissioner exercises such control,

(*ii*) on what advice, if at all, of the Local Government or other authorities is such control exercised,

(*iii*) the exact nature of such control, and

(*iv*) the practical effect of the same during the period of the last six months in Bengal?

Answer by the Hon'ble Mr. McAlpin:—

"(*i*) Exports by rail to other provinces are controlled by the Foodstuffs Commissioner through the Director of Civil Supplies [*vide* the reply to the Hon'ble Member's question No. 19 (*c*)]. Exports by sea to other provinces or to foreign countries are, it is understood, controlled through the Collector of Customs.

(*ii*) and (*iii*) The Hon'ble Member is referred to the replies to his questions No. 18 and No. 19 (*c*).

(*iv*) The practical effect of the control has been to restrict exports materially and to steady prices within the province."

By the Hon'ble Babu Bhabendra Chandra Ray:—

21.

(*a*) What are the formalities which an exporter in Bengal has to observe before he can be allowed to actually export rice either to any foreign country, or to any province in India? Export of rice.

(*b*) At what stage, if at all, are the Local Government or any other local authority consulted before such export is permitted?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) As regards export by sea, it is understood that no person is allowed to export unless he obtains a license from the Collector of Customs.

As regards the export by rail of Bengal rice or uncontrolled Burma rice, his proper course is to arrange with some person, in a province to which an allotment of rice has been made by the Foodstuffs Commissioner to obtain a priority certificate in which his name is entered as the consignor

(*b*) This Government do not intervene at any stage in such cases. The Director of Civil Supplies is in a position to express an opinion when certificates issued by other Directors are received by him for countersignature."

By the Hon'ble Babu Bhabendra Chandra Ray:—

22.

(*a*) In the matter of inter-provincial movement of rice, what precise functions has the local Director of Civil Supplies to perform in regard to a priority certificate granted by an importing province? Export of rice.

(*b*) Has such certificate to be countersigned by the local Director?

(*c*) If so, is such countersignature given as a matter of course? If not, in what manner, and to what extent, is the local Director permitted to vary the certificate; and upon what considerations and facts generally is such variation made?

(*d*) On how many occasions and to what extent on each such occasion, has the local Director exercised his powers of such variation, if any?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) and (*b*) The countersignature of the Director of Civil Supplies, Bengal, is required to every such certificate issued by the Director of Civil Supplies in any other province.

(*c*) No; countersignature is not given as a matter of course Certificates have never been altered by the Director of Civil Supplies in order to facilitate countersignature which would otherwise be refused: they are sometimes altered for other reasons at the request of, or by agreement with, the issuing

Director of Civil Supplies on behalf of the latter, subject to considerations of the inconvenience which may thereby be caused to the railway authorities.

(*d*) This question cannot be answered without undue labour and expenditure."

By the Hon'ble Babu Bhabendra Chandra Ray:—

23.

Export of rice.

(*a*) Is the carrying capacity of the railways taken into consideration before exports of rice are permitted?

(*b*) Is it a fact that, within the province of Bengal, rice has remained accumulated at certain railway stations in large quantities for a considerable time, for want of adequate facilities of transport, and has thus been wasted to a great extent?

(*c*) Have the Government received any reports to this effect from any quarter at any time?

(*d*) If not, are the Government considering the desirability of making inquiries from all railway stations regarding this matter?

(*e*) Is there any truth in the statement that export has often been allowed under military permits for really non-military purposes and to destinations without any military stations.

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) It is understood that the Foodstuffs Commissioner takes the carrying capacity of railways into account when he fixes the monthly allotment of rice to be exported from this province.

(*b*) It is a fact that rice has accumulated at certain stations as suggested for want of adequate facilities for uncontrolled transport; the whole of it could have been moved with ease under control if it had been considered advisable to allow certain areas to be drained of their stocks of rice by speculators. The risk that some of it might be spoilt was deliberately accepted.

(*c*) Yes

(*d*) No.

(*e*) Government are aware that such allegations have been made; but are not in a position to state whether they are correct."

By the Hon'ble Babu Bhabendra Chandra Ray:—

24.

Licensed importers of Burma rice.

(*a*) Who are the licensed importers of Burma rice in Bengal?

(*b*) Is it a fact that only nominees of the district officers are permitted to import Burma rice from Calcutta and Chittagong into the *mufassal?*

(*c*) If so, will the Government be pleased to publish the names of all such nominees?

(*d*) How can such nomination be secured?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The Bengal Government are not prepared to publish the names of the licensed importers.

(*b*) Uncontrolled Burma rice may be moved freely from Calcutta and Chittagong into districts in Bengal. Controlled Burma rice from Calcutta can only be obtained by nominees of district officers.

(*c*) Government are not prepared to publish the names of such nominees: they are of interest only in the districts concerned where the information is readily available to persons interested.

(*d*) Persons desiring nomination should apply to the local district or sub-divisional officer stating the amount required, and the general arrangements which they propose to make: they must be prepared to give adequate guarantees that they will sell at a price fixed by the district officer."

By the Hon'ble Babu Bhabendra Chandra Ray:—

25.

Will the Government be pleased to state the various rates at which Burma rice can be sold at the head-quarters of the different district towns in Bengal? Rates of Burma rice.

Answer by the Hon'ble Mr. McAlpin:—

"A reply will be given at the next meeting of Council."

By the Hon'ble Babu Bhabendra Chandra Ray:—

26.

Will the Government be pleased to make a statement showing how the recent census of rice-stock in Bengal was carried out, together with the results thereof? Census of rice-stock in Bengal.

Answer by the Hon'ble Mr. McAlpin:—

"A copy of the instructions of Government contained in their circular No. 1-T. R. of the 28th May, 1919, is laid on the table. The general result is that there need be little apprehension of any deficiency of stocks of rice in Bengal."

By the Hon'ble Babu Bhabendra Chandra Ray:—

27.

(*a*) With reference to the statement in a recent Press *Communiqué* denying that rice exported to foreign countries is utilized for non-food purposes, such as wine and starch, will the Government be pleased to state upon what materials has the said statement been made, so far as the case of export to Europe is concerned? Alleged export of rice for non-food purposes.

(*b*) Are the Government aware of the statement made in Mr. K. L. Dutt's report on the prices inquiry, that distillation and manufacture of starch are among the uses to which rice exported to Europe is put?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The facts were verified by a reference to the Director of Statistics.

(*b*) Yes. The statement in Mr. K. L. Dutt's report, which refers to normal pre-war days and not to the present abnormal situation, runs as follows:—

> 'A considerable portion of the surplus of India, as a whole, is usually exported to Europe, where it is used for food and for the manufacture of spirits and starch, and has to compete with rice of other countries and with a number of other grains, namely, oats, rye and maize, and even with beet and potatoes'."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

28.

Establishment of a waterways division for the Eastern Bengal areas.

(*a*) Are the Government considering the desirability of establishing a waterways division for the Eastern Bengal areas, making Dacca the head-quarters?

(*b*) If that is not immediately possible, are the Government considering the desirability of posting at least a Sub-Engineer at Dacca to continue the work of the improvement of rivers and *khals*, commenced by Rai S. N. Banerjee Bahadur

Answer by the Hon'ble Mr. Cowley:—

"(*a*) and (*b*) The question has already been receiving the attention of the Local Government. Should any of the projects investigated by Rai Sailendra Nath Banerjee Bahadur mature, then the execution of the same will be entrusted either to the existing permanent staff of the Public Works Department or, should it be found necessary, to the staff of a special division created for the purpose. The maintenance of such projects will, it is hoped, form the nucleus of a permanent waterways division. In the circumstances the desirability of posting a Sub-Engineer, as is suggested, does not arise."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

29.

Construction of a dam on the proposed new navigable route from Padma to Dhaleswari.

Are the Government taking up the construction of an earthen dam preliminary to the dredging of the proposed new navigable route from Padma to Dhaleswari during the present financial year?

Answer by the Hon'ble Mr. Cowley:—

"The answer is in the negative."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

30.

Enhancement of the parcel rates of the India General Navigation and River Steam Navigation Companies.

(*a*) Are the Government aware that of late the Steamer Companies, *viz.*, India General Steam Navigation and River Steam Navigation, have greatly enhanced the parcel rates over their portion of the journey and that in consequence the charge between Calcutta and Dacca is Rs 3-5 now in place of Rs. 2 formerly?

(*b*) Are the Government considering the desirability of taking such steps as may be necessary to relieve the hardships caused by the rise in rates?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) The subjoined table compares the rates at present in force as compared with the previous rates:—

	Parcel not exceeding—			
	10 srs.	20 srs.	30 srs.	40 srs.
	Rs. A.	Rs. A.	Rs. A.	Rs. A.
Previous to 1st June, 1919—				
Calcutta to Dacca	0 8	1 0	1 8	2 0
From 1st June 1919—				
Rail—				
Calcutta to Goalundo and Narainganj to Dacca	0 8	1 0	1 4	1 12
Steamer—				
Goalundo to Narainganj	0 10	0 15	1 4	1 9
	1 2	1 15	2 8	3 5

(*b*) The cost of transport and materials has increased considerably and Government do not think it necessary or desirable to take any action in the matter."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

31.

(*a*) Are the Government aware that the people at Dacca are put to great inconvenience by the level crossing on the Nawabpur road being constantly closed due to shunting and passing of trains?

Trouble caused to the public by the constant closing to traffic of the level crossing on the Nawabpur road, Dacca

(*b*) Are the Government considering the desirability of removing this inconvenience either by constructing an overbridge or by any other way that the Government may think fit and proper?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) It is recognised that road traffic must be inconvenienced to some extent by the level crossing on the Nawabpur Road at Dacca and it has been ascertained that the Eastern Bengal Railway authorities are considering schemes for substituting an overbridge crossing.

(*b*) The site and design of an overbridge must however necessarily depend on the design adopted for the general remodelling of the station yard which the Railway authorities also have under consideration."

By the Hon'ble Rai Sri Nath Ray Bahadur:

32.

(*a*) Are the Government aware

Inadequacy of the waiting room for female passengers at Dacca railway station

(*i*) that the waiting room for females of the third and intermediate class passengers at the Dacca railway station is very small?

(*ii*) that the female passengers are put to great inconvenience for want of proper accommodation and often are obliged to remain outside the room exposing themselves to the inclemency of the weather?

(*b*) Are the Government considering the desirability of remedying this evil either by constructing two separate rooms or by extending the existing one?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) It is understood that the Eastern Bengal Railway authorities recognise that the present waiting-room accommodation provided for intermediate and third class female passengers in Dacca railway station is insufficient.

(*b*) A proposal is under consideration to convert the existing third class female waiting-room into a room for intermediate class female passengers and to construct a new room having double the accommodation for the use of third class females."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:

33.

(*a*) Will the Government be pleased to state whether it has been definitely settled to remove the Bengal Secretariat Press from its present situation to Writers' Buildings?

Removal of the Bengal Secretariat Book Depôt to Chetla.

(*b*) If so, will the Government be pleased to state whether it is in contemplation to remove the Bengal Secretariat Book Depôt to Chetla along with the press?

(*c*) If the answer be in the affirmative, have the Government considered the serious inconvenience likely to be caused to the public by the removal of the Book Depôt from the heart of the metropolis to an out of the way place in a suburb?

(*d*) Are the Government aware of the adverse effect on the cash sale of Government publications on account of such removal?

Answer by the Hon'ble Mr. Payne:—

"(*a*) Yes.

(*b*) Yes

(*c*) and (*d*) It is not anticipated that any serious inconvenience will be caused to the public by the removal of the Book Depôt to Chetla. The cash sales amount on an average to Rs. 72 per day, and the average number of purchasers is about 17 a day Government will, however, consider whether some arrangement is feasible under which no ground of complaint will be given."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

34.

Sale of certain publications of the Education Department.

(*a*) Will the Government be pleased to state when the "Rules and Orders of the Bengal Education Department" will be available for sale to the public?

(*b*) Will the Government be pleased to state why the Annual Reports of the following institutions, printed at the Bengal Secretariat Press, are not available for sale to the public?

(1) Hastings School, Alipore,

(2) Medical College, Calcutta,

(3) Presidency College and the attached schools, Calcutta,

(4) Bethune College, Calcutta,

(5) Sanskrit College, Calcutta, and

(6) Hooghly College, Hooghly

Answer by the Hon'ble Mr. Goode:—

"(*a*) The 'rules and orders' will be available for sale to the public by the end of this month

(*b*) A limited number of copies of these reports have hitherto been printed partly because there is no demand for them and partly from motives of economy In future a sufficient number will be printed and some copies will be kept in the Book Depôt for sale"

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

35.

Practice of laying statements on the library table of the Bengal Legislative Council

(*a*) Are the Government aware of the fact that the complete answers containing statements to unstarred questions, Nos. 35, 36 and 37, asked at the last meeting of the Council have not as yet been supplied to the questioner in spite of several reminders duly sent on the subject?

(*b*) If so, will the Government be pleased to state what steps they are taking in the matter?

(*c*) Are the Government considering the advisability of—

(*i*) laying such statements on the Council table in future and not placing them on the library table,

(*ii*) publishing them in the Proceedings of the Council and

(*iii*) furnishing a printed or typed copy of the complete answer to an unstarred question, containing the statements, to the questioner on the very day of the Council meeting in accordance with the Council Rules?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) and (*b*) The Hon'ble Member was supplied with copies of these statements on the 30th July 1919. The reason for the delay was that the statements were very lengthy and took some time in printing.

(*c*) (*i*), (*ii*) and (*iii*) In view of the extra expense involved in printing lengthy and voluminous statements, it has been the settled practice of the Council for some time past ordinarily to lay on the table, and to print in the Proceedings of the Council, only such statements as are of reasonable length.

When the answer to a question refers to lengthy reports or *communiques* which have already been published in some form or other, the Hon'ble Member is usually furnished with a copy thereof, and copies are also placed on the library table and in the Press Room in Writers' Buildings.

In the case of lengthy reports, which are only of interest to a limited number of persons, the practice is to show the Hon'ble Member concerned the statement in original, and to place a copy on the library table. This was done in the present case on the day of the Council meeting.

There is precedent in other Councils for the practice set out above, and His Excellency the President sees no reason for making a change."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

36.

Will the Government be pleased to state the percentage of appointments reserved for the different communities in the upper division of the Bengal Secretariat?

Percentage of appointments reserved for the different communities in the upper divisions of the Bengal Secretariat.

Answer by the Hon'ble Mr. Payne:—

"The Hon'ble Member is referred to rule 21 of the Rules for the Regulation of Appointment in the Clerical Service of the Secretariat of the Government of Bengal, a copy of which is laid on the library table."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:

37.

(*a*) Will the Government be pleased to lay on the table a statement giving the names of estates under the Court of Wards and Government management in which the audit is made by private parties and not by examiners of local accounts?

Estates under Court of Wards and Government management.

(*b*) Do the private parties employed for such auditing submit their reports direct to the Government?

(*c*) Do they also examine, as is done by examiners of local accounts, a certain proportion of the *mufassal tahsil* accounts?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) In the estate of the family of the Nawab of Dacca, in which only some shares are managed by the Court of Wards

(*b*) No

(*c*) No"

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

38.

Extensions of service to clerks in the office of the Director of Public Instruction

(*a*) Will the Government be pleased to state the names of such clerks in the office of the Director of Public Instruction as have been granted extensions of service, together with the number of such extensions granted to each, and the circumstances under which each of these extensions was granted?

(*b*) What are the academical qualifications of each of these officers and the nature of the duties performed by each?

(*c*) If it is a fact that these clerks are indispensable to the office are other clerks in the office being trained in their work so that they may be able to take up their duties with a view to avoid further extensions being granted to the aforesaid officers?

Answer by the Hon'ble Mr. Goode:

"(*a*) and (*b*) A statement is laid on the table

(*c*) No question of indispensability arises, their extensions have been granted under the Civil Service Regulations on the ground that their retention in service was in the public interest"

Statement referred to in the answer by the Hon'ble MR. GOODE *to Question No. 38 asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 12th August, 1919, showing the names, academical qualifications, etc., of the assistants in the office of the Director of Public Instruction, Bengal, who have been granted extensions of service.*

	NAME	Academic Qualification	Pay	Number of extension granted.	Circumstance in which each extension was granted	Nature of duties
			Rs			
1	Rai Sahib Surendra Nath Sudra	B A ...	250—10—300 (Sub *pro tem*, on 300—10—500)	Three	The officer was efficient and granted extension in accordance with clause (*a*) of article 495 of the Civil Service Regulations.	Sub *pro tem* Personal Assistant to the Director of Public Instruction
2	Mr L M. Martyn		250—10—300 (Sub. *pro tem*)	Four ...	Ditto ...	Assists the Personal Assistant in controlling the office staff, etc.
3	Babu Abinash Chandra Mallik.	...	175 (Sub *pro tem*)	Three	Ditto ...	Cashier and Accountant

By the Hon'ble Babu Akhil Chandra Datta:

39.

Suspension of a chaukidar.

(*a*) Is it a fact that one Kailas Chandra Namasudra of village Bayek, police-station Nabinagar, in the district of Tippera, died of starvation on the 18th May 1919?

(*b*) Is it a fact that the village chaukidar Raj Kumar Dey, of the Bayek Union No. II, reported officially in the ordinary course of his duties, that the death was the result of starvation?

(*c*) Is it a fact that the said chaukidar has since been suspended?

(*d*) Is it a fact that he has been suspended for stating in his report that the said death was due to starvation? If so, who is responsible for this order of suspension?

(*e*) Are the Government considering the desirability of making a full inquiry into the matter and of publishing the result of the inquiry?

Answer by the Hon'ble Mr. McAlpin:

"(*a*) It is not a fact.

(*b*) Yes.

(*c*) Yes.

(*d*) The chaukidar was suspended by the subdivisional officer of Brahmanbaria for making a false report. The chaukidar admitted to the subdivisional officer that he knew that his information was false and that he made it at the instigation of some villagers, also that the death was caused by a prolonged attack of fever.

(*e*) A full inquiry has already been made by two sub-deputy collectors and the subdivisional officer with the result given above."

SUPPLEMENTARY QUESTION.

The following supplementary question was asked by the **Hon'ble Babu Akhil Chandra Datta:**

Is it a fact that the chaukidar submitted a representation to the District Magistrate in which he adheres to his former statements, viz. that the man died of starvation; that he had actually been going without food for some days prior to his death?

Answer by the Hon'ble Mr. Cumming:

I must ask for notice of that question in order to verify the allegations made by the Hon'ble Member.

By the Hon'ble Babu Bhabendra Chandra Ray:

40.

Alleged deaths from starvation.

(*a*) Will the Government be pleased to make a statement showing district by district, the number of

(*i*) alleged deaths from starvation,

(*ii*) alleged deaths from diseases directly brought on by starvation, and

(*iii*) alleged suicides on account of the present distress

that have been reported in the press, or by private persons, the police, panchayat or otherwise, with particulars of each case separately?

(*b*) When was the report of each such case first brought to the knowledge of the police, the subdivisional or district authorities, and the Government, respectively, and when and what inquiries were made into the circumstances of each case, by whom, and with what results?

(*c*) Are the Government aware of a Parliamentary Paper which is issued annually regarding deaths from starvation, or deaths accelerated by privation, in the United Kingdom?

(*d*) If so, are the Government considering the desirability of publishing a similar statement, every quarter or so, during the prevalence of distress?

(*e*) If not, what steps (if any) are the Government taking in order to give prompt publicity to these facts?

(*f*) With reference to the recent Press *Communiqué* on the subject of such alleged deaths, will the Government be pleased to lay on the table all papers regarding the inquiries made in each individual case?

Answer by the Hon'ble Mr. McAlpin:

"(*a*) and (*b*) It is not possible to give the information required by the Hon'ble Member in the manner asked for by him. The following information is placed before the Council regarding certain of the cases noticed by Government in the press:—

(*1*) RANGPUR DISTRICT. *Alleged death by suicide on account of starvation of one Okimon Mai, wife of one Barika Sheikh of Hitampur police station Mithapukur.* Barika Sheikh is a labourer. On the 14th June 1919 he brought home a jack fruit and gave it to his wife to serve him with at the time of breaking his *roja*. The fruit was carried away by a jackal. On account of this her husband, who it appears, was unkind to her, abused her. She took the abuse to heart and committed suicide by hanging herself with a rope.

(*2*) BAKARGANJ DISTRICT. (*i*) *Alleged suicide from hunger by one Anaraddi of Salia, police-station Banaripara.*—This man committed suicide to escape disgrace and a criminal prosecution for misappropriating the proceeds obtained from the sale of a bullock.

(*ii*) *Alleged death from starvation of a son of one Mafezuddi of Dosatina police-station Jhalakati.* This child, aged 4 years, died of fever attended with diarrhœa.

(*iii*) *Alleged death by suicide by hanging of a Moslem couple of Darpara owing to hunger.* No one in the village has committed suicide for many months past. The panchayat of the village denies the allegation *in toto*.

(*3*) DACCA DISTRICT. *Alleged death from starvation of one Lal Mohan Rishi, of Pangaon, at Wari, Dacca.* The man was a beggar. It is reported that he died of diarrhœa contracted through eating jack fruit.

(*4*) MYMENSINGH DISTRICT—*Alleged deaths from starvation in Astagram.*—Four such deaths were reported by chaukidars. The subdivisional officer of Kishoreganj made personal inquiries and found that three died from fever and the fourth from small-pox.

(*5*) BIRBHUM DISTRICT—*Alleged deaths from starvation.*—Inquiries have been made throughout the district, and so far as can be ascertained there have been no deaths from starvation in the district.

(*6*) NADIA DISTRICT—(*i*) *Alleged death from starvation of one Bidhu Muchini of village Ghurni.*—She was an old leper, aged about 60 years. She had been suffering for several years past. She died of leprosy. It is reported that her death could not be due to starvation as she was the recipient of public charity till the end

(*ii*) *Alleged death from starvation of one Maji Sheikh of village Shonda.*—This man was a carpenter by profession and was addicted to opium and *chandu* smoking. For some time past he had been suffering from fever and dysentery and died of it.

(*iii*) *Alleged death from starvation of one Pakri Sheikh of village Shonda.*—No trace could be found of anybody of this name in the village and no one of that name died there recently.

(*c*) Yes.

(*d*) Government will have no objection to publishing, once a quarter, while the present high prices continue, a statement of deaths which have been ascertained to be due to starvation or to have been accelerated by privation.

(*e*) In view of the answer to (*d*) requires no reply.

(*f*) The Hon'ble Member is referred to the answer to (*a*) and (*b*)."

By the Hon'ble Babu Bhabendra Chandra Ray:

41.

(*a*) Is it a fact that a security of Rs. 2,000 has been demanded under the Press Act by the District Magistrate of Dacca from the present printer and publisher of the *East* newspaper and keeper of the East Bengal Press where the said newspaper is printed? Demand of security from the newspaper the *East*.

(*b*) If so, will the Government be pleased to state the circumstances in which the above demand has been made?

(*c*) When was the *East* established, what is the present number of its subscribers, what is approximately the value of the assets of the paper and the printing press, and were these particulars taken into consideration before the aforesaid order was made? Were the conductors heard by the District Magistrate before he issued the said order?

(*d*) Has any application been made to the authorities against the said order, if so, with what result?

Answer by the Hon'ble Mr. Kerr:

"(*a*) and (*b*) The paper has recently changed hands, and it consequently became necessary for the new keeper of the press and the new publisher to make declarations under sections 4 and 5 of the Press and Registration of Books Act, 1867. The keeper of the press and the publisher thereupon became liable to deposit security under sections 3 (*1*) and 8 (*1*) of the Indian Press Act, 1910, and the District Magistrate of Dacca, seeing no reason for exemption, fixed the amount at Rs. 1,000 in the case of each.

(*c*) The date of the establishment of the paper is not known, but it was before the passing of the Press Act. It is reported that there are at present 62 subscribers. The District Magistrate, before passing orders granted an interview to the person chiefly associated with the new management of the paper. No information is available regarding the other particulars mentioned in the question.

(*d*) No such application has been received either by the District Magistrate or by Government."

By the Hon'ble Rai Sri Nath Ray Bahadur:

42

Steamers running without lights at night on certain routes

(*a*) Are the Government aware that the steamers of the following lines are often run in the night without proper lights in the rooms allotted to the different classes of passengers, namely:-

(*i*) the line of steamers running from Dacca to Manikganj and from there to Elashin; and

(*ii*) the line of steamers running from Tarpasa to Madaripur and from there in various directions, including Barisal

(*b*) Are the Government considering the desirability of holding an inquiry into the matter and, if necessary, of issuing instructions to the Steamer Company to make the necessary improvement?

Answer by the Hon'ble Mr. Cowley:

"(*a*) Only sufficient deck lights are provided for passengers to see their way about the after-decks, companion ways and alley ways. Passengers occupying cabins are entitled to a light and any failure to provide such a light would be taken up at once, if reported to any of the Companies' officers. While vessels are under-way no lights are allowed on the forward deck as this would be prejudicial to safe navigation.

(*b*) Government do not consider it necessary to hold any inquiry into the matter."

By the Hon'ble Babu Bhabendra Chandra Ray:—

43.

Primary education in municipal areas.

(*a*) Are the Government aware of the decision of the Government of Bombay to contribute half the total actual cost, per annum, of primary education, whether voluntary or compulsory, in municipal areas?

(*b*) Are the Government considering the desirability of making more liberal grants in the case of those municipalities which may desire to introduce compulsion but are prevented from doing so in consequence of financial difficulty?

(*c*) Are the Government aware of the programme of the Government of Bombay to provide, during the current year, about 500 schools in villages which have a population of one thousand and over and which were till recently without any school, and about one hundred more schools in villages having a population of 500 and above, which also had no schools?

Answer by the Hon'ble Mr. Goode:—

"(*a*) Under the rules framed by the Government of Bombay, under the Bombay Primary Education Act 1 of 1918, that Government is to bear one-half of the actual expenditure incurred by a municipality for providing free and compulsory primary education in a given year except in special cases where Government may decide to make larger grants.

(*b*) Commissioners of Divisions and the Chairman of the Calcutta Corporation have been asked to submit returns and programmes for providing primary education for all children aged 6 to 11 likely to attend voluntarily, also for all boys between the ages 6 to 10 together with an estimate of cost for each of these programmes and a statement of the methods by which the cost can be met. The question of making grants to municipalities, who may

desire to introduce compulsion but are prevented from doing so in consequence of financial difficulties, will be considered on receipt of these statements. Under section 17 of the Primary Education Act the municipal commissioners may levy an educational cess with the sanction of Government if the combined contributions from Government and the municipality are not sufficient to cover the expenses.

(*c*) Government have no information, but inquiries are being made."

By the Hon'ble Babu Bhabendra Chandra Ray:—

44.

(*a*) Has the attention of Government been drawn to a recent case in the Calcutta Police Court in which two employees of the Indian Subordinate Medical Department attached to the Indian Station Hospital at Alipore were prosecuted at the instance of Rajendra Prasad Barma of the Moochipara thana for an alleged incident of the 4th March last? Prosecution of two employés of the Indian Station Hospital at Alipore.

(*b*) If so, will the Government be pleased to state the facts and circumstances of the case?

Answer by the Hon'ble Mr. Kerr:

"(*a*) and (*b*) The two persons referred to were arrested in Bow Bazar Street at midnight on the 4th March on a charge of being drunk and disorderly, and quarrelling with a woman of the town They were released on their own recognisances and were eventually acquitted by the Magistrate They subsequently represented that they had gone to the Mochipara police section to telephone for an ambulance to remove a cholera case, and that they had been abused and ill-treated by the sub inspector and compelled by threats to sign a blank paper An article relating to the case also appeared in a vernacular newspaper, in which it was alleged that the sub inspector was in the habit of drinking An inquiry has been held by the Deputy Commissioner of Police in charge of the South District, who found that there was no reason to believe that the sub-inspector was drunk, and that the evidence regarding ill-treatment was discrepant and unreliable He thought it was probable that one or both of the men was under the influence of liquor, but that the arrest was unnecessary as they were not incapable of taking care of themselves The Deputy Commissioner also found that one of the two men had actually used the telephone before his arrest The sub inspector has been censured for making an unnecessary arrest in a petty case and for having submitted an inaccurate report regarding the arrest"

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

45.

(*a*) Will the Government be pleased to state the exact orders regarding the move of Under-Secretaries and the Officers of the different Departments of the Secretariat with His Excellency the Governor annually to Dacca and Darjeeling? Move of Under Secretaries and Officers of Government to Darjeeling and Dacca.

(*b*) Will the Government be pleased to state the period spent by each Under-Secretary at Darjeeling during the last three years and the period they were entitled to remain there under standing orders?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Under-Secretaries are permitted to be in Darjeeling for eight weeks in the year, while Government are in residence there, but the period may be extended with the sanction of Government when necessary in the

interests of the work Under-Secretaries do not ordinarily accompany the Government to Dacca. Owing to the increase of urgent and confidential work since the outbreak of the war, the Political Under-Secretary has accompanied the Chief Secretary both to Darjeeling and to Dacca and has remained at those places during the whole of the Chief Secretary's stay there.

The Secretariat staff taken to Darjeeling and Dacca and the periods for which they remain at those places vary with the requirements of the work from time to time The greater part of the staff remains in Calcutta throughout the year.

(*b*) A statement showing the period spent by each Under-Secretary at Darjeeling during the last three years is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to Question No. 45 asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council Meeting of the 12th August, 1919, showing the period spent at Darjeeling by the Under-Secretaries to the Government of Bengal, during the years 1916, 1917, 1918.*

	Year.	Period of stay in days.
Under-Secretary, Judicial, Political and Appointment Departments	1916	120
	1917	131
	1918	120
Under-Secretary, General and Municipal Departments	1916	101
	1917	97
	1918	84
Under-Secretary, Financial Department ...	1916	67
	1917	80
	1918	30
Under-Secretary, Revenue Department ...	1916	32
	1917	72
	1918	49
Under-Secretary, Public Works Department (Roads and Buildings)	1916	Nil
	1917	Nil
	1918	Nil
Under-Secretary, Public Works Department (Irrigation)	1916	48
	1917	Nil
	1918	Nil
Additional Under-Secretary, Judicial, Political and Appointment Departments	1916	31
	1917	76
	1918	59

By the Hon'ble Babu Bhabendra Chandra Ray:—

46.

What special precautions, and special steps for extending medical relief, have been or are contemplated to be taken in rural areas in view of the recrudescence of influenza?

Extension medical relie in rural areas

Answer by the Hon'ble Mr. Goode:

"The Government of India have recently addressed the Local Government on the subject of preparing to cope as far as possible with this disease, should there be any recrudescence of the epidemic upon a large scale this year. The following precautionary measures have been taken:—

(*1*) A *communiqué* has been published in the press, regarding nasal douching as a personal prophylactic.

(*2*) Civil Surgeons have been requested to furnish prompt information of any outbreak.

(*3*) A memorandum suggesting preventive measures against the disease has been sent to all local bodies, who have also been asked to take immediate steps to organise a plan of campaign.

(*4*) Civil Surgeons have been asked to take steps to supplement staff and equipment where necessary in particular by preparing lists of private practitioners, who would be available and willing to accept service, if required.

(*5*) 5,000 doses of influenza vaccine have been obtained and 10,000 more have been indented for."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

47.

(*a*) Will the Government be pleased to state the maximum number of students admitted into the first year classes of the Dacca College during the time Mr. Archbold was the Principal?

Admission of students into the Dacca College.

(*b*) Will the Government be pleased to state whether there was a reduction from that number in the year 1918 and a further reduction this year?

(*c*) If so, will the Government be pleased to state the numbers admitted during these two years?

(*d*) Will the Government be pleased to state whether there has been a reduction in the staff of Professors in the Dacca College from what it was during the time of Mr. Archbold?

(*e*) What is it now?

(*f*) If there has been no reduction in the staff, will the Government be pleased to state the reason for the reduction (if any) in the number of students admitted into the first year classes of the Dacca College?

(*g*) Will the Government be pleased to state whether this year and last year many combinations have been abolished, in spite of the fact that there has been no reduction in the staff of Professors on those subjects?

(*h*) If so, will the Government be pleased to state the reasons for their abolition?

Answer by the Hon'ble Mr. Goode:—

" (*a*) The maximum number of students admitted to the first year class in the time of Mr. Archbold was 233 This was in 1917, which was an exceptional year. In the previous year only 204 were admitted and in 1914 only 202

(*b*) and (*c*) The numbers admitted in 1918 and 1919 were 196 and 191, respectively

(*d*) and (*e*) There has been no reduction in staff

(*f*) By the abolition of the Arts courses with Chemistry the first year class has fallen into two distinct divisions of Arts and Science students The latter all study Physics, for which there is laboratory accommodation for only 60 students The maximum number of students in the first year class has, therefore, been fixed at 180, 100 reading for the Intermediate Examination in Arts and 80 reading for the Intermediate Examination in Science

(*g*) In 1918 certain courses were removed from the list of those admissible to students at Dacca College

(*h*) On general educational grounds it was considered by the Principal, with the advice of the staff, to be inexpedient to allow students who had no interest in Science to take up Chemistry for the Intermediate Examination without any other Science subject and with the sole object of securing a higher aggregate of marks in the Examination. The discontinuance of the courses has also had the very desirable effect of simplifying the time-table and thus reducing the time spent in the College by students in waiting between lectures.

By the Hon'ble Babu Akhil Chandra Datta:—

48.

The climate of Comilla.

(*a*) Are the Government aware that the climate of Comilla has deteriorated very considerably during the last five years and that it is steadily deteriorating from year to year?

(*b*) Are the Government aware of the opinion that has been expressed that the introduction of water-works is essentially necessary to improve the sanitation of the town?

(*c*) Are the Government considering the desirability of making an inquiry as to what steps are necessary to retain the old sanitary condition of the town?

Answer by the Hon'ble Mr. Goode:—

" (*a*) The statistics available do not support the view that the health of Comilla has deteriorated very considerably during the last five years. In

spite of the outbreak of influenza in 1918 there was an increase of little more than 1,000 admissions at the dispensary and the recorded death-rate for the year was less than half that of the town population of Bengal taken as a whole.

(*b*) Yes.

(*c*) No."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

49.

(*a*) Are the Government aware of a memorial, dated the 13th May, 1919, addressed to the Conservator of Forests, Bengal, by certain forest contractors and *sardars* of Darjeeling regarding the circumstances in which the monopoly of the charcoal supply in Darjeeling has been given to one Mr. Freer, and containing grave allegations against Mr. Baker, Deputy Conservator of Forests? Charcoal supply in Darjeeling.

(*b*) If so, will the Government be pleased to state what inquiries, if any, have been made into the said allegations and the result thereof?

Answer by the Hon'ble Mr. McAlpin:

"(*a*) Yes.

(*b*) Inquiries have been made through the Conservator of Forests, and Mr. Baker has been given permission to prosecute the memorialists for the defamatory statements contained in the petition."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

50.

In regard to the question of the spread of education among women, will the Government be pleased to state whether any attempt was made to recruit female teachers for girls and women from the orthodox Hindu community? If so, when were these steps taken, and with what result? Spread of education among women.

Answer by the Hon'ble Mr. Goode:—

"In 1908 a training school for Hindu widows was started in Calcutta Sixteen stipends of Rs. 10 each are awarded annually at this school and there is a proposal for increasing the number. Orthodox Hindus were at first very reluctant to enter this school, but it is reported that this reluctance is rapidly disappearing. There is also a training class attached to the Eden High School for girls, which is at present attended by 6 students of the orthodox Hindu community. Since 1910, 19 orthodox Hindu teachers have passed out of this class and 15 others had partial training. The difficulty has been that such orthodox Hindu teachers as come for training are generally not qualified for admission into the class. If young enough they are admitted into high school classes until they have reached the requisite standard for training.

Inspectresses of schools insist upon the employment of trained teachers when such are available, and it is reported that no trained teacher has any difficulty in securing employment."

By the Hon'ble Babu Bhabendra Chandra Ray:—

51.

The case of sub-inspector, Dakshina Ranjan Ghosh.

(*a*) Has the attention of Government been drawn to a suit in the court of the Munsif of Jamalpur (Mymensingh) in which a Marwari trader has recently succeeded in recovering, together with damages an amount from sub-inspector Dakshina Ranjan Ghosh, which the former had to pay to the latter as the price for his release from arrest in connection with a criminal case in which another Marwari bearing the same name was 'wanted'?

(*b*) If so, will the Government be pleased to state the circumstances of the said suit, together with the findings arrived at by the Munsif, and whether any departmental action is contemplated to be taken against the said sub-inspector?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Yes.

(*b*) A copy of the Munsif's judgment is placed on the library table. The defendant sub-inspector has appealed against the decision. The question of departmental action will be considered after the appeal is disposed of."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

52.

Medical inspection of school children.

(*a*) In view of the good results obtained by medical inspection of school children in the Punjab, Bombay, Bihar and Orissa, and Assam, as stated in the Bureau of Education's publication on Indian education in 1917-18, page 7, are the Government considering the desirability of introducing a system of medical inspection of school children in Bengal?

(*b*) How many first-aid classes are there in the high schools of the Presidency?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Government of India have been addressed for the creation of a post of Deputy Sanitary Commissioner as an experimental measure for five years to inspect school buildings and hostels from the sanitary and hygienic point of view. He will also be in charge of the medical inspection of school children, make special studies of the diseases to which children are particularly liable and suggest suitable measures for their prevention.

(*b*) There are 18 such classes in the high schools of the Presidency at the moment. Classes in other schools are being started."

Sir Henry Wheeler.

LIST OF BUSINESS—ITEM No. 3.

THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.

The Hon'ble Sir Henry Wheeler moved for leave to introduce a Bill to consolidate and amend the law relating to cruelty to animals in Calcutta.

He said :—

"My Lord, the object of this Bill will probably command the approval of all of us and I, therefore, merely propose to indicate briefly how it was that this legislation has come to be undertaken, and to draw attention to the more important changes which the measure will effect.

Legislation on the subject of cruelty to animals is, of course, not a new thing. In fact, it is of sufficient age to have got into somewhat of a tangle, and at the present moment in Bengal the matter is regulated by five Acts, three of the Bengal Council and two of the Government of India Council, the oldest of which dates back to 1869. In consequence, there is a certain amount of over-lapping, there is the difficulty of reference to more than one measure, and there are possible difficulties of interpretation owing to the different wordings of the different Acts. That reason alone would have justified us in attempting the consolidation which the present Bill seeks to achieve, but it was not wholly or, in fact, primarily, on that account that this legislation was initiated. Its origin is to be sought about the year 1915, and it will be seen, therefore, that it has taken some time to elaborate it. About 1915 various remarks in reports, etc., gave rise to the impression that the administration of the Acts possibly left something to be desired, and that the effective control of cruelty might perhaps be improved. The Government of that date remitted the consideration of the matter to a small conference, over which the Hon'ble Mr. Justice Beacheroft presided, and on which there were several gentlemen interested in the subject, among them, I think, the Hon'ble Maulvi Fazl-ul-Haq. That conference held various meetings, and submitted a report, which dealt with some matters of administration, with which we are not now concerned, but also contained some definite recommendations for the amendment of the law. The principal of these were as follows. The committee thought that the law might be made more effective on the subject of overloading—the driving of animals with excessive loads—and they contemplated a system of weigh-bridge stations at various places to which carts could be taken, if suspected to be overloaded, and weighed ; in the event of the load proving to be excessive it was suggested that the excess burden should be taken off the cart and kept until the owner came and took it away. The justification of the proposal is obvious ; it is no relief to a wretched weary animal to send it along the rest of its journey with an excessive load.

Another recommendation had reference to the working of unfit animals, and the appointment was proposed of verterinary inspectors with power to send such animals to an infirmary to be detained there until the veterinary officer in charge was satisfied that the animal was fit to be discharged. For this, I think, the justification is equally clear ; if an animal is to derive any good from being sent to an infirmary, it should be detained there until it is cured.

In the next proposal it was sought to make the liability of owners and contractors wider in respect of the driving of unfit animals and the working of overloaded animals, the implication being that these were the people who were, in fact, deriving pecuniary benefit from the act of cruelty.

Lastly, they desired to see the law on the subject of the objectionable practice of *phuka* made more stringent.

Sir Henry Wheeler.

These were their proposals, and after they had been discussed with the Society for the Prevention of Cruelty to Animals and various other authorities a Bill was drawn up. That Bill was again referred to the Society for the Prevention of Cruelty to Animals, to the Calcutta Corporation and to the European Association, which had taken an interest in the subject, and after their replies had been received and considered, the Bill was put into final form and ultimately went through the different stages of sanction by the Government of India and reference to the Secretary of State prior to its introduction to-day. That, Sir, is the history of the measure and although I have already mentioned its principal clauses I will run shortly through the detailed clauses themselves drawing attention to one or two points of interest.

In the first place, the Act will only apply immediately to Calcutta, although, hereafter, if need be, it may be extended to other areas.

In clause 5 which defines various kinds of cruelty, we propose two small changes, viz., to make it an offence to *keep* an animal in a position involving unnecessary pain or suffering, and, again, to declare the infliction of the suffering of thirst to be a form of cruelty.

Clause 6, as regards overloading, and clause 11, as regards the working of unfit animals, deal with the matter to which I have already referred, viz., the extended liability of traders, carriers and contractors, or those employed by them, for acts of cruelty done to animals belonging to them or in their use.

Clause 7 deals with the *phuka* process.

Then we come to a series of clauses—14, 16, 17, 18, 19, 20 and 21, in particular—which have reference to the system of weigh-bridges which I have outlined, and the taking of over-loaded carts to them; also the unloading of excess loads and the keeping of them at the weigh-bridge station until the owners remove them; while, incidentally, provision is made for the power to dispose of excess loads as unclaimed property under certain conditions. Clause 25 has reference to infirmaries and allows an animal to be kept there until it is declared fit for work.

Clause 26 is of importance, and gives power to direct the destruction of animals whose sufferings are so great as to justify that step, or if unfit for work owing to old age or incurable disease, while sub-clause (*3*) gives power to a police officer to kill an injured or a diseased animal on a certificate of a veterinary inspector. That follows an English statute, and it is a power which is both merciful and humane.

In clause 30 we have the usual rule making authority conferred, and in clause 31 a power of delegation is given to any person or local authority. Incidental to that, in clause 36, the right is given to local authorities of expending their funds on matters connected with the administration of the Act.

Those, Sir, are the main clauses of the Bill, and I think the justification for most of them is fairly clear on their face. The Bill I now seek permission to introduce will be circulated in the ordinary course, and we hope to get in opinions at the beginning of the cold weather when it will be referred to a Select Committee.

The motion was put and agreed to.

Rai M. C. Mitra Bahadur.

RESOLUTIONS

(*under the rules for the discussion of matters of general public interest*).

LIST OF BUSINESS—ITEM No. 4.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that a qualified Indian be appointed as the Director of Agriculture for Bengal at an early opportunity.

He said :—

"My Lord, I have carefully gone through the resolution No. 631 T.—R., dated the 7th June, 1919, by Your Excellency's Government on the subject of 'certain aspects of the Organization and Policy of the Agricultural Department in Bengal', as published in the *Calcutta Gazette*, dated the 11th June last. I was present at the University Institute, Calcutta, on the 28th March, 1919, when Mr. G. S. Dutt, I.C.S., Collector of the District of Birbhum, delivered an instructive lecture based on practical experience on the subject of a 'Practical Scheme of Agricultural Organization and Rural Reconstruction in Bengal'. The object of my moving this resolution is for the successful administration of the Agricultural Department. The question as to the selection of the proper man to fill up the post of the Director of Agriculture for Bengal, therefore, requires a very careful consideration of Your Excellency's Council. It has been rightly held by some eminent members of the Royal Commission on the Public Services in India that 'Agricultural education in India cannot reach the highest stage of development until Indian agriculture has been thoroughly studied and surveyed by competent scientific experts'. As the Indian Civil Service does not connote any special training in Indian agriculture, a very large majority of the members of this service, excepting in the case of one or two Indians, are not trained experts in agriculture; but it is a matter of surprise that the Directorship of Agriculture was for a long time reserved for the European members of the Indian Civil Service. It is, however, a matter of satisfaction to note that the Indian Civil Service supplied a most useful body of public servants. The Indian Civil Service was mainly organized to supply higher officers in the executive and judicial departments of the State and the schedule to the Statute of 1861 clearly indicates the classes of posts to be specially reserved for the Indian Civil Service. It was in 1866, that is to say, just after the conclusion of the labours in connection with the Bengal and Orissa Famine Commission, that the policy of having a special department to watch over the interests of agriculture was first mooted. In 1870 Lord Mayo took up this matter chiefly in relation to the improvement of the supply of cotton from India and in 1871 the first Agricultural Department was created. In Lord Mayo's opinion the work of the new department was 'to take cognizance of all matters affecting the practical improvement and development of the agricultural resources of the country'.

The Provincial Government that took early steps in the matter and rendered valuable assistance to the raiyats was that of the North-Western Provinces, where in 1875, Sir John Strachey, the then Lieutenant-Governor, strongly advocated the utilization of Court of Wards' Estates and Government *khas mahals* for purposes of investigatoin and the employment of them as 'Model Farms', and for finding out the real condition of the cultivating

classes. His Honour took a keen personal interest in redressing the grievances of the raiyats and succeeded in improving their financial position and made them happier during his successful administration of the province. Under His Honour's careful supervision, the Director of Agriculture made local investigations in every district, personally collected accurate information as to the liability of each district to famine, made thorough inquiry into agricultural practices of raiyats in the different districts of the province as a preliminary to agricultural improvement, and thus, in every way he made agriculture the business of his life, and he considered its practical improvement the chief duty of his office.

The Department of Agriculture in a province like Bengal is one of the public services in which the unique advantages of employing indigenous agency, to the fullest possible extent, in preference to foreign elements, are now freely admitted. With the facilities for technical training at Pusa, it should be possible to meet all the requirements of the Department of Agriculture. The time has now come when Your Excellency's Government should carefully consider the question of appointing a qualified Indian as the Director of Agriculture for Bengal for the following amongst other reasons :—

The Director of Agriculture for Bengal will have to effect agricultural improvements in Indian soil, and, therefore, he must be a man who has devoted the best portion of his life to learn Indian, and not English agriculture, and this can never be taught at an institution like Cirencester, Dowton or elsewhere. Merely going through an agricultural course of training, such as is provided at any of the institutions referred to above, with practical experience for a year or so in a European farm, does not constitute a man a practical agriculturist suitable for Bengal. Again, there are further difficulties regarding language as spoken by the raiyats and also in the matter of furlough and the consequent changes in tenure of the Director's office.

The arguments hitherto advanced in favour of the employment of European experts for the scientific development of Indian agriculture are not convincing and the experiment has conspicuously failed to meet the desired effect. He may have a knowledge of English agriculture which, if he desires to apply in the case of illiterate raiyats of Bengal, without carefully studying the existing practices and actual conditions of Indian agriculture in the various districts of the province, and also having regard to the market value of the agricultural produce and the economic condition of the raiyats, he will but repeat some of the gravest blunders which have made the people of Bengal doubt the possibility of improving Indian agriculture at all through European agency at the head of the administration where the Director's opinion is considered as the guiding principle of the Department.

With these few remarks, I move this resolution for the consideration of Your Excellency's Council."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I yield to none either in my anxiety or my desire to see my countrymen occupying places of trust and honour and responsibility under the Government and being an agriculturist myself I, at any rate, take a good deal of interest in the agriculture of the country, but I regret to say that I cannot agree with the Hon'ble Mover of this resolution that an Indian, a qualified Indian, be appointed as Director of Agriculture at an early date. My reasons are, in the first place, we, the Indians of the liberal school, have always claimed a place of honour as a matter of right on the grounds of equality and we have always pleaded that there should be no distinction of race or colour, class or creed, when the question of the appointment of Indians

Mr. Cumming.

comes up, and it will be inconsistent on our part to demand that the question of race or colour should be one of the items of qualification for any post under the Government. This is a minor matter. The real question is that the Department of Agriculture forms one of the most important departments of Government. Agriculture is primarily the chief mainstay of the people, and it should be fostered, developed and improved as much as possible. I am afraid that at the present moment agricultural education is practically *nil* in this country. The education of my countrymen in that branch has not been sufficient enough to make us demand that an Indian be appointed as a Director of Agriculture. My friend has said that English experts with their experience of foreign lands, as for instance, England, come and try to introduce scientific agriculture into this country and have failed. I do not know what experiments were made, but this much I can say, that it is generally wondered how European and American agriculturists can produce a larger quantity of crops from an area of land than we can do. We believe this system of scientific training and scientific agriculture which is in practice and in vogue in other countries is being looked into, and we are anxiously waiting for the day when such systems will be introduced in this country. Our education on these lines has not been sufficient, and as a consequence we are faced with famine every year. Of course, there are other causes for famine and scarcity in this country than the growth of agriculture, but if we can introduce scientific agricultural methods and improve upon them, then we shall be able to a great extent to remove distress and make famines rare in spite of the disadvantages under which the country is suffering. I, therefore, think, my Lord, that the question of the appointment of the Director of Agriculture should be left entirely to experienced experts who would be able to introduce what has been termed a 'scientific system of agriculture' in this country. But at the same time I hope and trust that Your Excellency's Government will devote much greater attention to this department than has been done in the past."

The Hon'ble Mr. Cumming said :—

"Your Excellency, the Hon'ble Mover has given a general account of the history of the Agricultural Department; but I am sorry to say that in enunciating the principles which have governed our policy in that department, I do not think that he has stated them in their proper light, and indeed, much of what he has said in favour of his resolution is quite irrelevant to the immediate point at issue, viz., that an Indian should be appointed at an early date in place of a European. Now, what are the general principles which should apply to the appointment of a Director of Agriculture in any province, and in the second place, what are the considerations which exist with reference to the present incumbent in Bengal? As regards the general principles, the Secretary of State, about 13 years ago, in 1906, at the time when the Agricultural Department was in an incheate state, laid down that members of the Indian Civil Service should be appointed for the initial organization of the department; but the Secretary of State looked forward to the time when the agricultural service would be able, like other services, to provide its own chief. A year later, in 1911, the *dictum* that officers of the Agricultural Department should receive a full opportunity of proving their fitness for the post was enunciated by the Government of India, and this *dictum* was emphasized by the Local Government in 1916 when Mr. Milligan, a member of the Imperial Agricultural Department, who had special experience, both in the Punjab and at Pusa, apart from his personal qualifications, was appointed to the post of Director of Agriculture in Bengal. Finally, in the report of the Public Services Commission to which the Hon'ble Mover has alluded, published in 1916, it was further stated that the object to be kept steadily in view was to reduce to a minimum the

number of experts appointed in England and to train indigenous talent so as to enable the department to depend on its own resources for the recruitment of the agricultural staff in the higher branches.

Now, Sir, from what I have stated, two principles emerge : (1) that indigenous talent should be used to the utmost extent possible for the Imperial Agricultural Department, and (2) that that department should ultimately supply its own chief. The complete application of these two principles would obviously in time produce an Indian Director of Agriculture, which is the object which the Hon'ble Member himself has in view.

Now, as regards the particular circumstances relating to the appointment in Bengal, what are the facts? The facts are that Mr. Milligan, who, as I have said, was appointed first in 1916, after a series of officers of the Indian Civil Service, as Director, was compelled to take leave on account of ill health. At the time of the budget debate in April last I expressed the regret of Government that they were temporarily losing the services of this officer by reason of his ill health. Now, Mr. Milligan is still the permanent Director ; and there is no intention at present of removing him from that post. It is hoped that he may return reinvigorated after a period of rest. I can scarcely think the Hon'ble Member desires that this officer should be ejected from the appointment. He has urged that European experts fail on account of their ignorance of the language, of the soil and of the conditions of agriculture in this country. I do not think that this attack can be made on the present incumbent. It is further alleged that the appointment of an expert has conspicuously failed. The other Hon'ble Member who addressed the Council did not support him on that particular point, but I think I am justified in putting the following very brief statement before the Council in this connection. By the distribution of improved varieties of rice and jute, which are particularly due to the energies and administrative ability of Mr. Milligan, the province has already benefited to the extent of 40 lakhs of rupees owing to the improved value of the crops produced ; and, if the present system which is in vogue is continued for a reasonably further period, it is anticipated that the net income of the cultivators of rice and jute in Bengal from this source alone will be increased by no less than 12 crores of rupees. Moreover, when it was suggested, or rather, when it was rumoured, that Mr. Milligan was likely to return from this province to the Imperial Department at Pusa, towards the end of 1917, several of the Indian non-official members of this Council inquired as to the truth of this rumour and as to the cause of Mr. Milligan's relinquishment of the post ; and they at the same time expressed great disappointment at the prospect of losing an officer who had, in a short space of time, made himself fully acquainted with the agricultural needs of this Presidency. I put that fact against the allegation made by the Hon'ble Member that the appointment of European experts has conspicuously failed. This view appeared in the shape of a resolution which was tabled for the meeting of the Council in January 1918 that measures be taken to place the services of this officer permanently at the disposal of this Government. The Hon'ble Mover who desired to move that resolution did not, however, proceed with it, as he said there was a difference of opinion on the subject. I take it that the difference of opinion is that which is represented to-day by the views of the Hon'ble Maulvi Abul Kasem and the Hon'ble Mover. In the Budget debate of April last it will be remembered that I said that Mr. Milligan's appointment had been hailed with acclamation when it was made, and that I had heard golden opinions about his work from many quarters. I am in a position to say that the Agricultural Department in this Presidency has taken a large step forward within the last two years ; and this is in a high degree due to the technical advice and administrative ability of the present permanent incumbent. These are the facts

Rai M. C. Mitra Bahadur.

regarding the present incumbent. Then what of the future, regarding which I have stated that the result of the complete application of the several principles would be the appointment of an Indian Director of Agriculture? Regarding the future, when ultimately the question of a successor to Mr. Milligan becomes a live issue, it will—I doubt not, and I advise the Council that it should—be made by the selection of the best man available for the post irrespective of racial considerations. The Hon'ble Maulvi Abul Kasem has also stated that that is the principle which should govern at the present time an appointment of this nature. In this view, my Lord, I am not prepared to recommend to the Council to accept the Hon'ble Mover's resolution."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said:—

"My Lord, I have listened to the statements which have been made by the Hon'ble Mr. Cumming. The reason which persuaded me to come to the Council for the appointment of an Indian expert is simply this and nothing more than this—that an Indian being a native of the soil can understand agricultural business better than a foreigner. I am fully aware of the fact that Government are spending large sums of money for the improvement of agriculture and I am also aware of the fact that efforts are being made for the purpose of making the raiyats of this country happier, but, my Lord, we join issues here. Is the department so very successful as it ought to be under European agency? That is a matter for the consideration of the members of the Council. I am an Indian and, therefore, I have a partiality for Indians. I come forward simply on the ground that an Indian is expected to do something in this agricultural country. The principles which have been enunciated by the Hon'ble Mr. Cumming are principles which admit no doubt of consideration. On one side, it may be argued that here is an European agency who have got full scientific education and consequently such agency may be employed for the purpose of utilizing the principles of agriculture. On the other hand, it may be argued that the Indians who have been in the land since their birth know more of Indian agriculture than a foreigner is expected to do. In such circumstances, my Lord, it is for consideration whether those principles which have been enunciated by the Hon'ble Mr. Cumming can be engrafted now. I submit for the consideration of the Council that the arguments which I have put forward before the Council may not be lost sight of.

The Hon'ble Maulvi Abdul Kasem has said that he does not appreciate the arguments which I put forward. I respectfully differ from him. But the simple issue is whether a qualified Indian or in other words a qualified expert is expected to manage agricultural business in a better way than an European. I am grateful to the Hon'ble Mr. Cumming for telling me that in future this matter will be considered by Government. But I have put forward this resolution in the hope that it would be accepted by Government and that early steps may be taken for the appointment of an Indian as Director of Agriculture. If Your Excellency's Government consider that Indians are not fit to manage the agricultural business, and if they say that they are incompetent men by whose appointment agricultural business would suffer, I would respectfully ask, my Lord, who is practically managing the agricultural business now? If an inquiry is to be made—and the Hon'ble Mr. Cumming is fully aware of the fact—it will be found that it is Indian officers who are managing the agricultural business in this Presidency, and I, therefore, propose that the Head of the Department should be a practical Indian agriculturist.

With these submissions I press the resolution for the consideration of the Council."

The motion was then put and lost.

Maulvi A. K. Fazl-ul-Haq.

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that a fully equipped Agricultural College, to be finally incorporated with the proposed Dacca University, be established at Dacca at once.

He said :—

" My Lord, the questions raised by this recommendation are of such an important character that I do not think I need say more than a very few words in commending this resolution to the acceptance of Your Excellency's Government and this Council. This is the second occasion on which I have ventured to draw the attention of Your Excellency's Government to the fact that although there happens to be in the vicinity of Dacca an agricultural farm which has admittedly being carrying on experiments quite satisfactorily from the point of view even of an expert, no attempt has yet been made to co-ordinate the results of those experiments and to give the students who resort to this experimental farm for purposes of study and learning the art of agriculture, any further lectures or courses of study so far as that branch of the education is concerned. On the former occasion when this question was discussed in this Council I was told in so many words that the question of the establishment of an agricultural college at Dacca must be kept in abeyance till the whole question of the reform of the University of Calcutta had been threshed out by the University Commission and the recommendations of that Commission had been considered by Government. The report of the Commission is now out and I would venture to submit that the recommendations of this Commission themselves support very strongly the case for the establishment of an agricultural college at Dacca.

To begin with, I take the liberty to read a few sentences from the report of the Calcutta University Commission, Vol. III, Part I, Chapter XXV. I am reading from page 119 :—

'The supreme economic importance of agriculture in Bengal may be realized from the fact that out of a total population of 46 millions, 35 millions are dependent on it as a means of livelihood.

Yet at present there is not a single institution in the province giving agricultural education ; the term does not even figure in the last Quinquennial Review of Education in Bengal.'

The report goes on to say :—

'An agricultural conference was held in 1888 which urged the necessity of educating teachers of the required kind, and a Government resolution of the same year placed on the Agricultural and Educational Departments in every province the obligation to work out a practical scheme of agricultural education. * * * Among the conclusions of the resolution of 1897 were the following :—

The agricultural degrees, diplomas, or certificates should be placed upon the same footing as corresponding literary or science degrees, etc., in qualifying for admission to Government appointments, and more particularly those connected with land revenue administration.

That the diploma should eventually be compulsory in the case of certain appointments, *e.g.*, of agricultural teachers in training schools, assistants to the Director of Agriculture, etc.'

Maulvi A. K. Fazl-ul-Haq.

In paragraph 6 at page 121 of the same report we read as follows :—

'The Universities Commission of 1902 expressed the view that in a country like India, which is mainly agricultural, it would appear that agricultural teaching, both ordinary and superior, should be considered as essential. They considered that a higher course in agriculture should consist of practical and theoretical teaching in the sciences underlying or connected with scientific agriculture, accompanied by practical training on experimental farms, and that students who had completed a course of this kind in the colleges and passed an appropriate examination for a diploma at the end of their theoretical instruction should then be drafted on to a farm controlled by experts, and undergo subsequent training for a year or more in actual farm work.'

Then following on that resolution—there was a resolution of 1904—the Government of India in a despatch to the Secretary of State at the end of 1905 defined in greater detail their general policy of which the salient points have been summed up as follows :—

'There was to be established in each important province an agricultural college and a research station, adequately equipped with laboratories and class rooms to which was to be attached a farm of suitable size.'

Then, my Lord, the Calcutta University Commission remarks :—

'The policy sketched out in the preceding paragraphs has, for various reasons, not been carried out fully either in regard to the Imperial Institute at Pusa, or in any province, least of all in Bengal.'

The result has been that the new developments left Bengal entirely without any agricultural college. I take the liberty of reading a few more passages from the University Commission's report. I read from page 127 :—

'The classes at Sibpur were closed in 1909 in view of the decision to establish an agricultural college at Sabour in Bihar, then forming part of the province of Bengal. The Sabour College was not opened till 1910. But under the territorial readjustment of 1912 Sabour ceased to be within the limits of Bengal and the college is now under the control of the Department of Agriculture of Bihar and Orissa, although it continues to admit students from Bengal and is under the same management as when it was the agricultural college of Bengal. The proportion of the students admissible into the Sabour College annually from the provinces of Bengal, Bihar and Orissa, and Assam are 20, 17, and 3, respectively. The number of students from Bengal actually admitted in recent years have been as follows :—

1912-13	...	...	...	...	9
1913-14	...	...	...	...	2
1914-15	...	...	...	...	4
1915-16	...	...	...	...	9
1916-17	...	...	...	...	11
1917-18	...	...	...	...	4

A considerable proportion of the Bengal Sabour students are stated in recent years of the Bengal Department of Agriculture to have obtained Government appointments.'

Under the Patna University Act (1917), section 11, no Indian University other than Patna can admit any educational institution in the province of Bihar and Orissa to any privilege whatever, and under this provision, therefore, Universities of Bengal would be presumably debarred from recognizing any courses at Sabour as forming part of a course in agriculture.

Rai Sri Nath Ray Bahadur.

My Lord, these quotations from the report of the Calcutta University Commission themselves make it manifest that so far as agricultural education is concerned we have not got within the limits of this Presidency any agricultural college or university, and supposing we are going to have a University at Dacca, it cannot claim the privilege of recognizing or conferring degrees on the students of Bengal who may resort to Sabour for purposes of study. So far as higher agricultural education is concerned, the students of Bengal find one of the avenues of education absolutely shut to themselves. In these circumstances it is only natural that the people of Bengal should insist that so far as this province is concerned, suitable arrangements for agricultural education should be made at an early date. The question then arises, if there is to be an agricultural college, where can that be most suitably located? We can think of Sibpur and its surroundings and we can think of Rangpur with its agricultural farms and we can also think of Dacca with an experimental farm at Manipur. So far as Sibpur is concerned I would say that for the western districts of the Presidency, *i.e.*, for the students who belong to the west of the Ganges there ought to be some sort of arrangement for giving higher agricultural education; but for the students coming from the eastern districts an agricultural college at Dacca should, I think, be of immense advantage to them. I have already submitted that the experimental farm at Manipur possesses natural advantages for the purpose of agricultural education and that there are thousands of acres of land around where experiments can be carried on with the utmost efficiency and utmost regard to the requirements of higher agricultural teaching. In these circumstances and with all these natural advantages at hand I submit to Your Excellency that it is high time that an agricultural college should at once be started at Dacca and in the near future when we hope to have the Dacca University the agricultural college can be incorporated with that University, which will give the Dacca University a high status among the Universities. With these few observations I would strongly commend this resolution to the acceptance of Your Excellency's Government."

The Hon'ble Rai Sri Nath Ray Bahadur said :—

"My Lord, I beg to support the resolution moved by my Hon'ble friend Maulvi Fazl-ul Haq. In the year 1917, I urged upon this Council the necessity of establishing an agricultural college and a medical college at Dacca, eventually to form part of the Dacca University. The then Member in charge said in reply that there was hardly any demand for an agricultural college here, as no zamindar responded to the call made upon them on this behalf. Since then I have consulted many zamindars, specially of the Mymensingh district. Though they agreed as to the usefulness of agricultural education, they did not like to avail themselves of such training. Their reluctance is due to want of any future prospect in the Government services, besides the zamindar have little or no land in their *khas* possession upon which to fall back for agricultural experiment. But the case is different with the *jotedars* and middle class men. The former will be directly benefited by agricultural training and for the latter it will open a new avenue. Owing to overcrowding of all learned professions the middle class people are in sore need of new departments in which they may try to earn their livelihood.

The Government have already started agricultural stores in every district and agricultural officers have been appointed. The time is not distant when every subdivision will require such an officer. Every district, nay, every subdivision, will welcome an experimental farm at its headquarters. An institution in Dacca will remove a great want for training qualified men to take up such works. The nearest agricultural institution is at Sabour in Bihar, a long way off, and also the separation of Bihar from Bengal has made it

imperatively necessary to establish an agricultural institution in this province which is pre-eminently an agricultural province; and Dacca already possessing the headquarters of the Agricultural Department with its excellent farm is the fit place for such an institution.

Even in western civilized countries the agriculturists are loathe to adopt scientific methods, and for this reason the Governments there adopt all sorts of means to try experiments as near as possible to the agriculturists' fields. In India, where agriculture is thousands and thousands of years old, it is the more difficult to induce the cultivators to adopt modern scientific methods. It is, therefore, not to be surprised at if people from Bengal, specially from Eastern Bengal, do not go to an institution at Sabour far away from their homes. With the existing staff at Dacca, with a few additions, a less ambitious institution can be started without making any heavy outlay.

It is proposed to introduce agricultural subjects in the primary courses too. The demand for teachers with agricultural training will grow day by day. So, both for the recruitment of agricultural officers as well as teachers such an institution is required. But if, in view of immediate establishment of the proposed Medical College first in the Dacca University, which is no doubt a greater necessity, the idea of starting an agricultural institution be put off for some time, I would beg to suggest that a number of stipends be established to enable young men to avail themselves of the same for prosecuting their studies at Sabour or any other agricultural institution. If a few appointments are guaranteed in the beginning it is hoped that competent students will be forthcoming to go up for this purpose."

The Hon'ble Khan Sahib Maulvi Aman Ali said :—

"My Lord, though Eastern Bengal is an agricultural country, its present production is not equal to the requirements of the people and so some sort of scientific education in agriculture is very essential and the establishment of an agricultural college at Dacca which is the central place is most desirable. The Hon'ble Mover of the resolution has dealt with the matter in its various aspects and so I do not like to waste the time of the Council in any other way than merely giving my full support to the resolution."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, although I anticipate some practical difficulties I desire to give the principles of this resolution my whole-hearted support. There is commendable impetuosity of my Hon'ble friend, the mover, on the part to get everything done at once. But a serious difficulty—is that the recommendations of the Commission which in detail are awaiting the consideration of the Government and the educational authorities,—must take some time to digest. There would also be the difficulty of having the teaching recognized by degrees so long as Dacca has not its own University and Faculty of Commerce. The Government of India is not immediately giving its assent to the suggestions of the Calcutta University for the creation of an Industrial Faculty and it may be a question whether on the whole there may not be a Central Industrial Teaching organization with affiliated colleges in the different provinces. And then there is the paramount question of finance. My Lord, these are aspects of the case which no doubt the Hon'ble Member-in-charge will deal with and I need not labour them. For present purposes and for giving the support that I desire to give to the principles of this resolution, I desire to call attention to the recognition by the Universities Commission of the absolute and supreme need of adding importance to the agricultural side of University education. With regard to the principle

of those recommendations there can be no difference of opinion, though in attempting to give effect to them, Your Excellency's Government will have to consider in detail the administrative side of the question. I congratulate Your Excellency on the prospects of your being the Chancellor of two Universities—an honour which no ruler of an Indian province is likely to have soon, though the United Provinces have two Universities and may soon have a third. Though it may not be Your Excellency's fortune to be the Chancellor of more than two Universities, I hope the time is not distant when, with the pronouncement of the Universities Commission pursued to its legetimate conclusion, this province will have more than two Universities at no distant a date, for the country fully needs them. My Lord, even in the earlier days, when feeling ran high, I was always for Dacca having a University of its own and working out its own educational salvation. The educational enthusiam of Dacca, of which I have abundant never ceasing evidence every time I am here, fully justifies its having the promience that this resolution desires to give it pending the adoption of the Dacca University scheme. Even, I hope my friend from the West will not quarrel with me if, for the moment, I take upon myself to say that the Western districts will be content to let Dacca have the first place with regard to a proposal of this kind. We have our Medical College, we have the biggest Law College of the province, we have the Engineering College and I do not think the West will be so grasping as to want the agricultural college also when Dacca so badly wants developing.

The Hon'ble Maulvi Fazl-ul-Haq has referred us to the deliberation of 1888 and 1902. Ever since then we have been awaiting for our agricultural advancement, I can quite realize what the difficulties have been in the way of those who had the handling of that proposition. At Government expense, promising scholars were sent to England and came out fully equipped as agricultural experts, and, with their agricultural training, they enter the High Court and Arts Colleges or fill various posts in various branches of Your Excellency's Government, Judicial and Executive. This was an encouraging experiment, although not followed by encouraging results, for the field of practical work appeared to be limited. Government cannot, therefore, be blamed in making its pace too slow. But there have been later developments and impelled by force of public opinion it was my good fortune to bring forward before the University a comprehensive scheme for Agricultural, Industrial and Technological training. Although there was considerable initial opposition it finally died away and the Senate of the University whole-heartedly accepted my proposal and submitted them to the Government of India. The University Commission had been appointed, in the meantime, and the Government of India naturally said that, before dealing with the recommendations that have been sent up as a whole by the University, they will have to wait for the recommendation of the Commission. Those recommendations are, what I always anticipated, they could not help to be, and the views of the University have been supported by the Commission. There is nothing now in our way to give early effect to those recommendations, and when the time for that comes, I do hope that Dacca shall be the first choice. Its resources have been indicated—resources that may, to a certain extent, be present in the Western districts—but resources which are certainly not inferior to those of the Western districts. I hope, my Lord, some day the facilities for travelling to Dacca will be expedited—a resolution appears in the agenda paper on the table to-day for that purpose. When that comes the Western districts will not have much to complain of. Everybody cannot have an agricultural college or a medical college brought to the front door of his house and Western Bengal will gladly come to the East for a time for its agricultural training. In connection with this question and the proposals of the University for an agricultural scheme, although hardly arising out of this question, I desire to associate myself fully with what has fallen from the Hon'ble Mr. Cumming

in reply to the Hon'ble Rai Mahendra Chandra Mitra Bahadur. At one time we viewed with dismay the likelihood of Mr. Milligan being transferred from the province; and I was one of those who did not hesitate to give vent to that feeling. I hope Mr. Milligan will return soon with renewed vigour and take charge of his department and Your Excellency's Government will have at their disposal assistance which will be of the utmost importance in giving effect to this scheme. References have been made to Sabour and Pusa. I myself have not been able to realize why the number of students from Bengal has been so small there—the difficulty of having a suitable career may be one of the reasons. The difficulty of curriculum may be another. The Pusa Institute is essentially a Research Institute. In the college what we are thinking of, it ought to be something different, something more suited to the requirements of the province, something more suited to the openings and the careers at the end of the college training. We have to decide whether we want to train up agricultural experts or practical agriculturists or merely land stewards and zamindari managers or potential members of the Agricultural Department. These are questions of more than detail which will have to be thought out very carefully. I am afraid, therefore, some time must elapse before the scheme can be materialized; but whenever that may be, I hope Dacca will have the preference. Some of our friends are good enough to show their partiality for Dacca by sending in resolutions without taking care to attend the Dacca Session of the Council for 'luscious fields' elsewhere detain them. I do not doubt that Western Bengal representatives who have come will support this resolution in the proper spirit."

The Hon'ble Maulvi Abul Kasem said:—

"My Lord, after all that has been said in regard to this resolution, I do not think I should be justified in detaining the Council by any lengthy remarks of my own. I would only like to say that we, the people of Western Bengal, desire it as much as my Hon'ble friend, the mover, that an agricultural college should be established at Dacca. The conveniences for an agricultural college at Dacca are many and we will only be too glad to avail ourselves of the opportunity which would be afforded by that college for an agricultural training. I may say, Sir, that the Hon'ble Sir Deba Prasad Sarbadhikari anticipated difficulties in carrying out the scheme, but I anticipate a sympathetic reply from the Government. What I hope and trust is that Your Excellency's Government will take the matter up in earnest and try to expedite it and give a sympathetic consideration. As I have said before, the question of agriculture is a very important one. It has been remarked that the prospect of the students of the agricultural college does not seem to be very bright and attractive so that students would not come. I think that is not entirely correct, though not much wrong. The Collector of Birbhum, of whom reference has been made by the Hon'ble Rai Mahendra Chandra Mitra Bahadur has started a network of agricultural societies in his district and those societies are now trying to obtain expert opinion, paying fees, and if an agricultural college is established, the passed students from that college may, in addition to their being employed by the Government of the territorial magnet, also earn a decent livelihood by private practice. Formerly mining students used to appear though there could be no private practice for them so far as mining was concerned, but I know that two at least of our Indian Mining Engineers are commanding a good practice by giving expert opinion to Indian mine owners in my part of the province. So I do not think that there will be any difficulty in providing occupation for graduates of the agricultural college if it is formed. My Lord, notice has been given of two other resolutions for to-day's meeting—I understand they will not be taken up to-day—about removing the difficulties in the way of our students who have failed to gain admission into the colleges. Much of this difficulty will be removed

if agricultural colleges are established in larger numbers. I think it is more important to have a larger number of agricultural, industrial and medical colleges than to have additional classes in our arts and science colleges, whether Government or private. No less an authority than Sir Profullya Chandra Roy has said that it is desirable that avenues of employment should be opened out for our young men through more professional and technical colleges. Before I sit down, I have only one remark to make. The Hon'ble Sir Deba Prasad Sarbadhikari has said that Western Bengal will be content if an agricultural college is established at Dacca, because it has its medical college and engineering college. I only wish to say that Western Bengal people hope and trust that in the near future Dacca will have a medical college of its own because the Calcutta Medical College cannot provide sufficient accommodation for the growing number of students and that Dacca will have its own engineering college too."

The Hon'ble Mr. Cumming said :—

"My Lord, the object of the Hon'ble Mover's resolution is to obtain facilities for higher agricultural education at Dacca. Government, I may say at once, are prepared to meet him in this respect ; but, as I shall explain presently, on different lines from those advocated by him. The Hon'ble Maulvi has correctly said that the Bengal Government are now awaiting the report of the Calcutta University Commission. This report is in the hands of the public, and he has read out various extracts from the same. But I doubt if the Council have gathered from these extracts what are the salient principles underlying this subject.

The proposal of the Hon'ble Mover is the establishment of an agricultural college at Dacca to be finally incorporated with the proposed Dacca University. In connection with a proposal of this nature two sets of considerations have to be examined ; first, the principles underlying the imparting of agricultural education of a University character in any province and, secondly, the particular considerations affecting Bengal.

First of all, as regards the principles underlying the institution of an agricultural college, the discussion has been, as the University Commission has pointed out, protracted and voluminous ; but we need only consider the recommendations of general application which have been made within recent years. At the conference on agricultural education at Pusa in 1916 the issue was whether agricultural colleges should provide merely suitable candidates for service in the agricultural department or whether they should aim at providing a liberal and scientific education in agriculture which should be as complete as possible. The conference resolved that, while as an absolute proposition they were in favour of providing in agricultural colleges such a liberal education, they were not convinced that in the case of all the provincial colleges this was a practical ideal or one which local conditions rendered desirable. At a similar conference held in the succeeding year, 1917, at Simla, this view was modified to this extent that the local Governments should be left to work out their collegiate courses with reference to local conditions ; and they considered that each of the principal provinces of India should have its own agricultural college so soon as the agricultural development of the province justified that step. Later on in the same year, 1917, the Board of Agriculture in India, held at Poona, accepted this last statement and added that the question of affiliation of such colleges should be left to the decision of the Government concerned.

Mr. Cumming.

Now, the object of an agricultural college has been considered on more than one occasion by the Government of India and the Provincial Department. An agricultural college may be held to have the following purposes :—

(*a*) firstly, to prepare qualified officers for the different branches of the Agricultural Department ;

(*b*) secondly, to give instruction in agricultural practice to those of the landed classes who wish to improve their own property, and to provide the landed classes with land agents or managers ; and

(*c*) thirdly, to give opportunities for research.

The Public Services Commission were informed that certain existing agricultural colleges had failed in their purpose ; and the Commission recommended in 1916 that the staff should be adequate for the instruction up to the standard required for the Provincial Agricultural Service and also for the effective prosecution of research.

The latest advice on the subject is that contained in the report of the Calcutta University Commission, which has quite recently been placed in the hands of the public. From the chapters on agricultural education Hon'ble Members will learn that many counter-balancing factors have to be considered, and that the subject is fraught with many and grave difficulties —difficulties which are quite unsuspected by those who merely take as a premise that agriculture is the fundamental industry in the province. One of the chief difficulties is that, notwithstanding the demand for higher agricultural education in the abstract, there is, apart from the limited demand for higher appointments in the Government Agricultural Department, hardly any effective demand by members of the public for the employment of those who have already taken diplomas in agriculture. The Commission have made recommendations through which I trust it will be possible to supply not only high theoretical instruction but also real practical training, which is so much to be desiderated. The link between these two kinds of instruction is essential. I have had instances within the last year of the failure of that link, in cases from England and from America. One youth had received theoretical instruction in an English college, but admitted that he had evaded the practical training and that he knew nothing practical. Again, from America, I have learnt how the authorities of certain American institutions, with mistaken kindness for the Indian student, have let the student off all practical training. Such students return to India full of the lore of text-books ; but unsuited for either public or private employment in India. In any new development in India we should not neglect this warning.

I now turn in the second place to those considerations which are specially applicable to Bengal. While, on the one hand, there is a legitimate demand from the educated classes for higher agricultural education, yet it is a fact that in practice the zamindars of Bengal have so far not insisted on a specialized knowledge of agriculture as a qualification for managerships in their estates nor is it the general habit to employ agricultural experts to improve the methods of agriculture practised by their tenants. If, as the Hon'ble Abul Kasem indicates, there is a change in this respect, no one will be more pleased than the members of Government. For practical purposes at present young men from Bengal join agricultural colleges for the purpose of obtaining Government employment. The college at Sabour in Bhagalpur district was created in 1910 when Bihar and Bengal were under one administration, and the site was selected, as I have personal reason to know, in order to

cater for the wants of the two areas and at a site where land, typical of both the Western districts and the Eastern districts, was available. In view of these facts I do not think the criticism which says that there is no provision for agricultural education in Bengal is quite fair. Up till quite recently Sabour has been more than sufficient to meet the wants of the two provinces. In the five years from 1914 to 1919 the number of Bengali students at Sabour has varied from 13 to 32, and in the present year there are 26 Bengal students in the first year class. A certain stimulus has been given by the recent creation of certain appointments in Bengal under the name of district agricultural officers. But all the districts in Bengal have now been provided with such officers; while the power of the Imperial Department and the Provincial Department to absorb new recruits is limited. The Bengal Government have hitherto been unwilling to create a supply that was apparently greater than the demand and add to the total of what the University Commission style 'disappointed unemployables'. The Bengal Government, however, recognize two main facts,—that provincial patriotism desires a college of its own after the separation of the Bihar territory and that Bengal has felt that some effort should be made to get the educated classes to take up agriculture as an occupation. Government were also aware that the matter was being examined very fully by the Calcutta University Commission. The conditions of the problem imply, as I have already indicated, that the instruction must be practical. Government, therefore, in anticipation of the report of the Commission tentatively considered the establishment of an institution which would be devoted to the technical and practical training of persons who have already received a good general education; the main object being to turn out thoroughly practical agriculturists. In so doing not only would recruits be provided for the Agricultural Department, but a training would be offered to those desirous of taking up work on the land or of acquiring a knowledge of agricultural practice as well as to those desirous of following up agricultural research in a scientific fashion. If such an institution were created, it was proposed to style it an 'agricultural institute'. The more important of the subjects to be taught would be tillage, plant selection, agricultural engineering, use of labour—saving equipment, the care of animals, and so on.

Now, it has to be considered in connection with such an institute what relation it should have with the University; and it will be seen from the report of the University Commission that such an institution will meet the proposals which have been made by that body. The main proposal of the Commission in connection with agricultural education is that after a student has taken the degree of Bachelor of Science with a revised curriculum he should proceed for a period of training to an agricultural institute, at which he would receive an adequate diploma indicating that he had received the special training proposed to be given at such an institute; and finally, that such a student who takes the degree of Bachelor of Science *plus* the diploma of the institute should be qualified for the degree of Bachelor of Agriculture under the University. This, then, is the general idea.—theoretical training under the University, combined with specialized practical training under the Department of Agriculture, the combination of the two being considered a qualification for the degree of Bachelor of Agriculture. This proposal, however, naturally depends, as the Hon'ble Sir Deba Prasad Sarbadhikari has correctly pointed out, upon a detailed examination of the proposals of the University Commission by Government; and it will be clear to Hon'ble Members that if the general lines are followed such an agricultural institute, though not actually incorporated with the University as the Hon'ble Mover requests, will at any rate be practically related to it. In view, then, of these recommendations, Government are prepared to accept

the resolution of the Hon'ble Member with certain modifications, both in view of the recommendations of the University Commission and of the interests of Bengal. The word 'institute' in the resolution should be substituted for the word 'college'.; and, in view of the fact that the Calcutta University Commission's Report has still to be considered in detail, the words 'to be finally incorporated with the proposed Dacca University' might be omitted. The resolution might possibly be expressed in the following form :—

'This Council recommends to the Governor in Council that a fully equipped agricultural institute be established at Dacca.'

If the Hon'ble Member would modify the terms of the resolution to this effect Government would be prepared to accept it. I should like to add that plans for such an institution at Dacca are under preparation and that the first steps have already been taken towards the financing of the acquisition of the site required."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, in view of what has fallen from the Hon'ble Member in charge, I rise to say a few words, not so much with the intention of adding to what I have already said in support of this resolution, but to take this opportunity of offering my heartfelt thanks to the Hon'ble Sir Deba Prasad Sarbadhikari and to the Hon'ble Maulvi Abul Kasem for all the good things that they have been pleased to say about Dacca. Most unfortunately, and by an irony of fate, the district of Dacca seems to be practically unrepresented in this Council. The four members of the Dacca Division come from districts outside Dacca and I, therefore, take this opportunity of offering to my friends who have been good enough to recognize the claims of Dacca as the Eastern capital of this Presidency the thanks of the people of this town as well as the district, and for the ready recognition which they have shown to the claims of this city and this district.

As regards the resolution itself, may I ask the Hon'ble Member to consider if the words 'at an early date' could be added to the resolution? I can quite understand, my Lord, that with the preparations that have already been made for the establishment of an agricultural institute in Dacca things would progress soon enough, but at the same time we cannot forget, and I say it with the utmost deference, that the wheels of Government move very slowly and that sometimes hope deferred makes the heart very sick. Things have taken place, as far as the Dacca University is concerned, which make it absolutely necessary that some encouraging words at any rate should be added to the resolution in order to show that all possible steps will be taken for establishing the proposed agricultural institute in this town. I suggest the words 'at an early date' in place of the words 'at once'. 'At once' may be too precipitate as pointed out by the Hon'ble Sir Deba Prasad Sarbadhikari, but 'at an early date' is vague enough to include anything between lethargy and actual action. My Lord, in these circumstances may I ask the Hon'ble Member to consider whether these words should be added. At the same time I may say that I am not very particular about the phrase so long as the principle of the resolution is accepted."

The Hon'ble Mr. Cumming said :—

"My Lord, I have pleasure in saying that the Government will be prepared to accept the resolution in the following form as suggested by me and as further amended by the Hon'ble Mover, viz.,—

'That this Council recommends to the Governor in Council that a fully equipped agricultural institute be established at Dacca at an early date.'

Rai M. C. Mitra Bahadur.

I need hardly repeat, my Lord, that an earnest of this has already been given.

Plans for such an institution are already in preparation, and steps have already been taken for the financing of the acquisition of the site required."

The motion was then put in the altered form and agreed to.

LIST OF BUSINESS—ITEM No. 6.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur to move the following resolution :—

This Council recommends to the Governor in Council that a Committee be appointed, consisting of officials and non-officials, with instructions to make an inquiry into the working of the Hastings School, Alipore, with a view—

(*i*) to determine the syllabus of studies for the different classes or "Forms", in accordance with the regulations of a recognized University ;

(*ii*) to satisfy other requirements for its immediate affiliation to a recognized University ;

(*iii*) to consider the question of the reduction of its school-fees in the case of day-scholars, from Rs. 28 per month to a lower figure ; and

(*iv*) to recommend such steps as may be deemed advisable to place the school on a more satisfactory basis.

He said :—

"My Lord, the Hastings School has been in existence for full four years. I have carefully gone through the printed reports of this institution up to 1917-18 ; further report is not available at present. From these reports, I quote the following lines for the information of Your Excellency's Council :—

'* * * There lies the important question of how best the school may fulfil its task of giving to India men who, by reason of their established social position, may be fit to direct the aspirations of their own community, or to play a useful part in the control and development of the natural resources of their country.'

'* * * It cannot be said that the school attracts a really representative body of pupils, and this fact must be carefully borne in mind in examining the statement showing the numbers of boys in the school * * * ; nor can these numbers be reckoned as indicative of the possible growth of the school, for until the school can cater for the needs of the orthodox communities it will fail to draw from a very large and important section of Indian society.'

'* * * There is at present no provision for science, but it is hoped that the experimental work which is to be done in Physiology and in Physical Geography, may be a useful preliminary training in scientific method. Until systematic science teaching is established here the school course will always be incomplete, and for this reason no effort should be spared to equip and

maintain a school laboratory. Art teaching required to be put on a better footing, which might best be acomplished if a well-qualified man from the Government School of Art could be spared as a special visiting master for this branch of work.'

'* * * It is difficult to find the real reason for the deficiency of the numbers below the estimated level * * * it may partly be due to some measure of disinclination on the part of the Indian parent to sever himself from the usual courses of education which have been established longer in the Presidency, and finally, it may be that the number of those who desire this form of education has been somewhat overestimated.'

'* * * The want of a first class mathematician is at present very greatly felt.'

'* * * So long as this (*i.e.*, provision for science laboratories) remains unprovided for the school course must necessarily be incomplete, and further, this may always be adduced as an excuse for the deficiency in number * * * There should be more boys in the lower school, for until we can rely upon these forms being filled there is no adequate guarantee for the future success of the school.'

'* * * In the absence of any trust funds, the school must always be supported, in part, by Provincial revenues.'

'* * * The need, however, of a definite provision throughout the school for systematic science teaching, still remains a matter of some urgency; for had this training been available at the school, it is very probable that some of those boys who left during the year under report (*i.e.* in 1917-18) would have remained in the school. In all cases these boys left in order to obtain facilities for the study of science. I will, therefore, again record my opinion that there is the greatest need for the establishment in the school of a science laboratory under the charge of a well qualified science graduate.'

The school is not affiliated to the University of Calcutta or to any of the Universities of Oxford or Cambridge.

The tuition-fee in the Presidency College is Rs. 12 per month and the school-fee in the upper classes of the Hare and Hindu Schools, the premier schools of Bengal, are Rs. 5 per month. There is a surplus annual income of some thousands of rupees from these collegiate schools. In order to make the Hastings School a self-supporting one, the question of the reduction of its fees in the case of day-scholars from Rs. 28 per month to a lower figure should be carefully considered.

The appointment of a committee on the lines suggested in the resolution is urgently needed to examine facts up-to-date and find ways and means for the proper solution of the intricate problem connected with the management of the Hastings School.

With these few remarks, I move this resolution for the careful consideration of Your Excellency's Council."

Mr. Altaf Ali, Maharajadhiraja Bahadur of Burdwan.

The Hon'ble Mr. Altaf Ali said :—

My Lord, as a member of the Advisory Committee of the Hastings House School, I feel it my duty to oppose this resolution. In doing so, I must first of all assure my Hon'ble friend that I have no intention of withholding any information regarding the internal management of the school. Let us see what my friend really wants. First of all, he wants a committee consisting of officials and non-officials to be appointed to inquire into the working of the school. I am not quite sure if my friend really wants a committee consisting of officials and non-officials, or if he has said so because whenever a committee is asked to be appointed, a similar request is made. I am not quite sure if my friend knows that a small Advisory Committee to govern the school exists at the present time, and this committee consists entirely of non-officials. My Lord, the points regarding the syllabus and affiliation that my friend, the mover of this resolution, has raised, are such that the Advisory Committee is required to deal with in the usual course and which the committee after due and careful deliberation fixed. If my friend, whether he has any personal interest in the school by way of relations reading at the school or whether he takes only a general interest in an institution of this kind, has any suggestion to make at any time to the members of the committee they will be very gratefully accepted and they will do their best to apply them for the future administration of the school. As a matter of fact, they are always open to any suggestions from the public which will lead to the better administration of the school. The purport of my friend's resolution is the determination of facts that legitimately belong to the Advisory Committee and to the Department of Education in Bengal. If my friend thinks that the committee is not doing their work properly, or that they are incapable of doing so, I, for one, will be prepared to withdraw, in favour of men who take more interest in the school than we have hitherto done, and I am sure my colleagues will do the same. With these few words, I oppose this resolution."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

" My Lord, it is not possible for me on behalf of Government to accept this resolution. I am glad, however, that an opportunity has been given to enable Government to explain the position of the Hastings House School, and also to mention to the Hon'ble Mover of this resolution the present position there, and it is possible that after hearing what I have to say on the subject, the Hon'ble gentleman may decide to withdraw his resolution. What I could gather from what the Hon'ble Rai Mahendra Chandra Mitra Bahadur has said in connection with the resolution, that, apart from the fact that he is not satisfied with the syllabus and the general management of the school, he wants that the teaching of science should be properly and at an early date introduced in this school, and for this purpose he would advocate the cumbrous procedure of an unwieldy committee to go into the question. I should have thought, my Lord, that that would have been the last thing to suggest in a matter of this kind. But, Sir, it is not my business to discuss as to whether or not a committee is the most suitable form for an inquiry of this nature. What I have got to convince the mover of this resolution is that an inquiry is not necessary. With regard to the first portion of the resolution in which he deals with the syllabus of studies and the question of affiliation of the school, I am glad to inform the Hon'ble Member that the Government have recently, on the advice of the Director of Public Instruction, come practically to the same conclusion at which he himself has evidently arrived. Let me briefly state the purpose and objects with which this school was established. A deputation of influential gentlemen approached the Government of India in 1913 with a scheme for the establishment of a residential school for Indian boys to be run on the lines of an English public

Maharajadhiraja Bahadur of Burdwan.

school. Among the members of this deputation were gentlemen who could well afford to send their boys to English public schools, and who had no scruples about sending their boys to England, therefore these gentlemen, it must be clearly understood and it must be clear to the Hon'ble Mover himself, were actuated by the best of motives in approaching Government, viz., to see whether it was possible to establish in Calcutta a school in the nature of an English public school for the benefit of those Indian gentlemen who are not prepared or are not able to send their boys for such an education to England. The Government of India had previously outlined some such proposal and the Local Government naturally, therefore, welcomed the deputation's proposal to found a well-equipped and well-supported school which, breaking away from many traditional ideas by which Indian schools have been hampered and circumscribed, should seek to mould these boys upon the English public school pattern, to turn out boys with good academic qualifications, and to develop character and promote that valuable *esprit de corps* which is too often lamentably deficient in many of our Indian schools. It was recognized that such an ideal would cost money and that such a school must necessarily be restricted to those parents who could afford to pay reasonably high fees. My Lord, I do not think that we can be blind to the fact that even to-day education of this kind in Bengal is ridiculously cheap, but on the other hand one recognizes that the heavy outlay the middle classes in England incur for the education of their sons, would often be beyond the means of the *bhadralog* in Bengal. I think the Hon'ble Mover will probably agree that many Bengali gentlemen would be willing to incur a larger outlay on the education of their children if they were satisfied that the education provided were worth the money. Many of us, moreover, do still desire to see if a school of this nature could possibly thrive in Bengal, and it was really because a number of such influential men wanted that such an experiment should be made, that the Local Government of the time thought it worthy of consideration and worth experiment. That was how the Hastings House School came to be started in 1915, the sanction of the Secretary of State being granted to pursue the experiment for a period of five years. I may at once admit that those who moved Government for the establishment of this school,—and among them I myself was one,—and the Government are somewhat disappointed at the support which the institution has so far received. The Hastings House School will accommodate about 100 pupils, *i.e.*, 50 boarders and 50 day-scholars. The school opened as I said in 1915 with only 10 boys on the rolls and towards the end of the year the number had risen to 20 and for the last two or three years there have been about 30 pupils among whom some 12 to 14 have been day-scholars. It was recognized at the time that the fees must be high, and they were fixed at Rs. 100 per mensem for boarders *plus* Rs. 5 for sports, stationery, medical attendance, etc., and in the case of day-scholars at Rs. 25 per mensem with an additional Rs. 2-8 per month for sports, and stationery. I may say that there were some who thought that the fees should be still higher, had it been so they would still have been considerably less than those paid by English parents for their boys at some of the English schools. The present expenditure of the school amounts to Rs. 55,000 and the sum recovered from fees comes to Rs. 38,000, leaving a deficit of Rs. 17,000 which is borne by the Local Government. The deficit in 1915 was over Rs. 20,000 and in 1916-17 little over Rs. 17,000 and the same for 1917-18. Now, of course, one may ask whether Government are justified in expending this amount out of their revenues from public funds for the education of the sons of gentlemen who can in most cases afford to pay higher fees or in some cases could afford to send their sons to England. The whole question has received the very anxious consideration of Government from this point of view and I am glad to have the opportunity of explaining the Government's position to the Hon'ble Member. I think no one will deny that the high school education at present provided in Bengal suffers from many limitations and many defects. It would be superfluous for me to attempt to enlarge upon a matter of such

common knowledge, especially as many of the members of this Council have probably read extracts from the University Commission's report which deals exhaustively with this subject and which is now before the public. I may, therefore, at once say that the Government are conscious that the present system has failed, but they realize that a considerable service to education might be done if at least one model institution conducted on broad and liberal lines could be established. As regards the virtual restriction to the sons of the well-to-do which the high rate of fees must cause, Government felt that many of the students who pass through the doors of such an institution may ultimately become some of the prominent leaders in Bengal and it felt justified on political grounds as well in providing these boys with a more liberal education, calculated to train the character, no less the mind, than is supplied in many other schools in the Presidency. It was hoped at the time that the advantages of such an education would be readily grasped and that the need for such an institution would be recognized and that all the available accommodation would easily be filled. That unhappily has not yet been our experience; Government may perhaps have some justification in contending that the experiment has failed and that in the interest of economy they should close the school and cut its losses. Well, my Lord, as I myself admitted, Government themselves are apparently not satisfied with the present state of the school, but whilst admitting it Government are not prepared to cry *peccavi*. The whole question has received, as I have stated, the most anxious consideration of Government, and Government have come to the conclusion that the causes of the present failure of the institution are probably due to the following, viz., (*a*) The scale of fees which presses too severely on a number of families who can afford the facilities offered by the school; (*b*) That many persons in Calcutta who can well afford to pay the fees and who recognize the solid advantages which the school offers, prefer that their sons should live at home and attend the school as day-boarders. In the present circumstances, the number of day-scholars is only limited to one-third; (*c*) Many parents are disappointed that the recruitment of English school masters, trained in and thoroughly imbued with the spirit of the public school system in England has been delayed owing to the war. Finally, the lack of professors for science teaching has undoubtedly been a distinct stumbling block to the progress of the scheme. Then, of course, the absence of separate messing arrangements for orthodox Hindus has perhaps kept out a certain number. The curriculum or studies with its failure to provide for matriculation examination has been the subject of a certain amount of criticism and the non-affiliation of the school to the University has also caused some misgiving. Referring, therefore, to the latter part of the Hon'ble Member's resolution, I would frankly admit on behalf of Government that steps must be taken to place the school on a more satisfactory basis, and I may state at once that Government have arrived at the following conclusion, viz., that a properly-equipped science laboratory should be immediately provided, suitable rooms are already available, and the capital cost for equipment will amount only to Rs. 3,000; it is anticipated that the recurring cost will be recovered. Government propose to go ahead with this. The limitation on the number of day-scholars will be modified; of the total number of pupils that can be received (which I have said was 100) no less than half the number should be day-scholars. The Government of India have already been approached with a proposal to extend the period of experiment up to 1922. Pending sanction of the Secretary of State to this proposal Government are unable to take steps to recruit two additional English masters, who were sanctioned in the original scheme. Of course, if the sanction is received, which we hope will be the case, we shall set about securing these additional members of the staff. Government has already invited several leading associations in the Presidency on the question of separate messing arrangements for the orthodox, and if there is any reason to believe that the school will thereby be rendered accessible to boys whose parents at present stand aloof, Government will make such provision in this direction as the accommodation at Hastings House allows.

Sir Deba Prasad Sarbadhikari.

I turn now to the proposal of the Hon'ble Member to revise the syllabus of studies and to take steps to have the school recognized by some University by which I presume he means the Calcutta University. I may state that when the school was founded one of the many problems to be considered was to arrive at some decision upon the educational policy to be pursued. It was hoped that a certain percentage of pupils would on leaving the school proceed to a University. It was probable that some of them might graduate first at an Indian University while it was certain that some of the boys would not go to England at all. Government of course had no statistics to guide them in this matter but after careful consideration they decided that the senior Cambridge local examination would perhaps for sometime most satisfactorily serve the purposes of a school final examination. The Cambridge test provides a suitable academic standard while at the same time it has the advantage of having been held not only in England but also in India. Moreover, it secures for successful candidates certain exemptions from University preliminary examinations. Accordingly the junior and senior Cambridge local examinations were made the intrinsic part of the school curriculum. As a matter of fact, however, it has been found that many parents view with some misgivings the elimination of the Matriculation examination and that they are anxious lest its non-recognition by the University may subsequently hamper or check the University career of their sons. The whole question, as I have said, has been carefully considered by Government and they have recently resolved that the Matriculation examination should be taken in class IV upper or V lower and that the boys who pass the Cambridge senior and are of an age to remain at the school should go on for study for even the Cambridge higher certificate or the Intermediate examination in Arts or Science of the Calcutta University. It is also proposed that in future all subjects except English and Mathematics should be taught through the medium of the vernacular in the lower school. The Hon'ble Mover has asked that a committee should be appointed to make recommendations on these various matters ; but I think he will see now that a good deal of what he had in mind has already been taken up by Government and that therefore the necessity of a committee no longer arises. The Hon'ble Mr. Altaf Ali seems to be very free about his movements and desires in wishing to withdraw from the committee and asking others to follow suit, but I wish to point out that a strong advisory committee does exist and that is a committee which is appointed by and to advise Government and it is not open to Mr. Altaf Ali to make such quick changes. If the Hon'ble Member after hearing what I have said to-day and after coming to know that some of his proposals have already been accepted by Government would like to bring this matter to the notice of the school authorities, I would advise him writing to the President of this committee and I think that under all these circumstances he would be well advised to await further developments and to withdraw his resolution regarding the appointment of a committee of the kind which he has in mind.

My Lord, on behalf of Government I am sorry I am unable to accept the resolution as it stands."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I had not the least idea of intervening in this debate for the very good reason that I know very little about the Hastings House School. Although I was one of the original signatories demanding the establishment of this institution, I have had no opportunities of knowing anything about it. I have, however, wished it well and am sorry to gather both from official and non-official statements here that it is not doing well.

My Lord, there are other reasons, however, why I cannot let the speech of the Hon'ble Member in charge go unnoticed. I may frankly state that nothing

more is painful to me than to have to differ from the Hon'ble Maharajadhiraja Bahadur of Burdwan upon whom I have always looked as one who is a leader among his class who has also the good of the people at heart. I do not now raise the question as to whether Government should spend largely out of public revenue on the education of the people who can afford to spend all that is needed, or whether so called political reasons such as the Maharajadhiraja Bahadur has indicated should rule the situation; that is a question for Government to consider for the country will prefer to have its own leaders and not wait for those that the Hastings House will be supposed to breed. There is one other matter however which requires attention. My Lord, if I heard the Hon'ble Maharajadhiraja Bahadur of Burdwan aright, I heard him say that education in this country is ridiculously cheap. I desire to protest against that assertion—an assertion which has been freely made by people who know nothing of the country—but which from the Hon'ble the Maharajadhiraja Bahadur of Burdwan, Member-in-charge of the Education Department of Your Excellency's Government, comes as a surprise to me, a painful surprise. I shall be glad to be told by the Hon'ble the Maharajadhiraja Bahadur that I did not hear him aright and, if so, I apologise to him."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"May I rise to a point of order. I think the Hon'ble Sir Deba Prasad Sarbadhikari seems to forget the subject matter of the resolution. We are discussing the question of the appointment of a committee to inquire into the working of the Hastings School and when I said that education in this country is ridiculously cheap I meant education for people who aspire for the kind of education as received in a public school of this nature in Bengal. I did not for a moment refer to the average education that is imparted to the people in the country."

The Hon'ble Sir Deba Prasad Sarbadhikari (continuing) said :—

"That is satisfactory so far but does not go the whole way. Therefore my complaint and objection still hold good. The statement would seem to imply that those of us, in the lower middle classes, who have so far sought to avail themselves of the facilities provided by the Hastings School are not as badly off as they are described to be. If the Hastings House teaching is of the right public school type it should be within the reach of the poorest day scholar, though he need not aspire to the luxurious residential arrangements. This morning I received a visit from a gentleman who had absolutely broken down in educating his sons. It may be said that he had no business to attempt this if he could not afford it. May I remind the Council, my Lord, of what is after all a commonplace. The best of our men have come from the class who can ill-afford to have any education, far less of the kind given by the Hastings School. I do not wish to refer to the somewhat unreasoning outcry about the question of the raising of fees as an evidence that education is not ridiculously cheap. That should be considered elsewhere."

The President said :—

"Order, order. Might I draw the attention of the Hon'ble Member to the resolution which is under discussion. The resolution relates to the appointment of a committee to inquire into the working of the Hastings School, Alipore; but that does not permit the Hon'ble Member to cover the whole ground of education generally."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"I was trying to meet and protest against the Maharajadhiraja Bahadur's reasoning. But having regard to Your Excellency's ruling, I do not wish to pursue the point further."

Rai Mahendra Chandra Mitra Bahadur ; Babu Surendra Nath Ray.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have listened to the statements which have been made by the Hon'ble the Maharajadhiraja Bahadur of Burdwan and I can say this that in moving this resolution I thought that it was in the interest of the public that an inquiry should be made in this connection. No one denies the encouraging ideal on the part of those who established this school, but what is the result. If the school was on a firm basis as was thought at the time when it was founded, perhaps I would not have come to the Council with grievances like this. But as the Chairman of the institution has said in his report that the Provincial revenues are attacked and as the Hon'ble Maharajadhiraja Bahadur has also explained that there would be a deficit every year so an appeal is made to Your Excellency's Government. I have referred to the several passages from the report. These are not mine but these are quotations from the educational authorities in charge of the institution. If you look to the laboratory, it is in a very bad condition : if you look to the number of boys, it is very discouraging. All these speak affirmatively that the institution is on a very low level and the high ideals of those who established the school have not been achieved. Our children—the children of the middle classes—receive their education in the middle schools but if the Hastings School is not established on broad and encouraging lines, what is the good of having such an institution. My Lord I have therefore thought it proper when I moved the resolution to bring these facts to the notice of the Council and the Hon'ble the Maharajadhiraja Bahadur assures me that Government have taken action in the way which is indicated in this resolution and that instructions have been issued to the Director of Public Instruction and further than that notice has been taken of the several grievances. I submit that I have no other alternative than to withdraw the resolution with Your Excellency's permission on the assurance which has been given by the Hon'ble the Maharajadhiraja Bahadur of Burdwan.

Before I sit down I have one word to say, namely, I have no personal motive in bringing this matter to the notice of the Council. I have no sons, no children, nothing of the kind. I have moved the resolution in the interest of the public and the public alone. If there is waste of public revenues on schools like these one cannot but bring it to the notice of Your Excellency's Government and the Council. I have come forward with a grievance which I have substantiated by reference to the report. My Lord, I do not wish to say anything more, but as I have already said I have no other alternative left but to withdraw the resolution on the assurance of the Hon'ble Member in charge."

The motion was then by leave of the President withdrawn.

LIST OF BUSINESS—ITEMS Nos. 7 AND 8.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur was to have moved the following resolution :—

This Council recommends to the Governor in Council that immediate arrangements be made by Government for opening additional sections of classes in all Government colleges in Bengal, for the accommodation of those successful students who have been refused admission into colleges for want of accommodation.

The Hon'ble Babu Surendra Nath Ray was to have moved the following resolution :—

This Council recommends to the Governor in Council that a committee be appointed to inquire into the difficulties of students in securing admission to colleges and other educational institutions in Bengal, and to recommend suitable measures for providing adequate facilities for their studies.

President ; Maulvi A. K. Fazl-ul-Haq ; Sir Henry Wheeler.

The President said :—

"I understand that it has not been possible to secure the information necessary to deal with resolutions 7 and 8 to-day and I have, therefore, agreed to their being postponed until the meeting of the Council on the 3rd September."

The resolutions were then postponed till the meeting of the Council of the 3rd September, 1919.

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble Maulvi A. K. Fazl-ul-Haq, in the absence of Hon'ble Babu Bhabendra Chandra Ray, moved the following resolution :—

This Council recommends to the Governor in Council that a committee of officials and non-officials be appointed to inquire into the methods followed by the authorities in the matter of selection of candidates for admission into the Calcutta Medical College at the beginning of the current session.

The Hon'ble Maulvi Fazl-ul-Haq said :—

"At the request of my Hon'ble friend who is absent to-day, I beg leave to move this resolution which stands in his name. I may say at once, my Lord, that, although I was asked to move this resolution by a letter which I received from the Hon'ble Mover, I confess I do not know really the grounds on which he thought it fit to bring forward this resolution. I may, however, state here that there is a considerable feeling in this country that boys do really find difficulties in the way of their admission into the Medical College. These difficulties are of varied character ; and I think that, in the interests of all concerned, it would be better if some enquiry be made in order that these grievances might be redressed. I do not wish to take up the time of the Council further. With this object in view, I beg to commend it for the consideration of the Council."

The Hon'ble Sir Henry Wheeler said :—

"Sir, I was interested to note that the Hon'ble Maulvi A. K. Fazl-ul-Haq, in addition to the bountiful contributions he has made to the bill of fare of the present session, was also equal to the task of serving up the leavings of absentees, but my interest is somewhat discounted by his very candid admission that he does not know why this resolution was put forward, unless as a means of ventilating a vague sense of grievance. However, I am not sorry that he has undertaken the task, in so far as from the two questions that have been answered to-day and from this resolution it would seem that there is a certain amount of misapprehension about our position in regard to this matter, which a statement of the facts may perhaps dispel.

I may say at once that the Local Government are not prepared to accept the resolution, and they base that opinion mainly on two grounds. In the first place the question of selecting students for admission to the College is essentially the function of the Principal, and it would be absolutely detrimental to the authority of the Principal to delegate that power to a committee or to request a committee to revise his orders. The position of the Principal in the matter is definitely laid down in the rules. The second main ground is that there is nothing that requires investigation by a committee, as I am in a position to explain the considerations which weigh in the admission of students, and after having examined the account given by the Principal as to his procedure in making a choice, we are of opinion that he acted reasonably and justifiably in the lines that he adopted.

Sir Henry Wheeler.

First of all it is as well to remind the Council what the rules governing admission are. We are concerned here with what are called the 'regular' classes, and the minimum qualification for admission to these classes is the I. Sc. pass of the Calcutta University. This is worth emphasising, as I imagine that the grievance underlying those questions and this resolution is that men of inferior educational qualifications have been taken in—that is, I. Sc.'s have been taken in—while B. Sc.'s were available and were not chosen. So long, however, as the rule definitely recognises the I. Sc. as a qualification, the claims of men so qualified cannot be disregarded. Apart from that, we have it in the rules that while preference for admission is usually given to candidates who have superior qualifications, yet the final selection lies entirely with the Principal, that is to say, the responsibility is that of the Principal We then have it laid down that one-fourth of the total number admitted shall be Muhammadans. That is a condition which, I take it commends itself fully to the Hon'ble Maulvi Fazl-ul-Haq. Next, 12 candidates are nominated by the Inspector-General of Civil Hospitals, Bihar and Orissa, and 6 by Assam. In addition, the Bihar and Orissa Government nominates 6 scholars who must possess the I. Sc. qualification.

These are the rules, and I have here an account from Lt.-Col. Deare of the way in which he exercised his discretion on the last occasion, and it is on that account that I base my subsequent remarks. In the first place, he observes that the method of selection was precisely that which was followed in previous years, and that every application-letter was opened and every candidate selected by himself. That again is worth emphasising, as in connection with questions of this kind there is often a vague rumour that students get admitted because they pay a rupee to a clerk here or eight annas to a chaprasi there. We have it from the Principal that all applications were opened and considered by him personally. He says that the problem with which he was faced was to select for 145 vacancies from 947 candidates. First of all he picked out the 11 Muhammadans, of whom 9 actually joined. Then three lady students were admitted, which left him with 131 vacancies against 933 candidates. And for this he had to choose from one M. Sc., 186 B. Sc.'s, 604 I. Sc.'s and 156 I. A.'s, B. A.'s and I. Sc.'s of other provinces. He first of all washed out the 156 candidates from other provinces as they were not admissible under the rules. When I say 'other provinces' I mean of course provinces other than those covered by the admission rules of the college, which include the jurisdiction of the Calcutta University and the province of Bihar and Orissa. That left him with 791 candidates for 131 vacancies, and he then began to scrutinize the names bearing in mind the following considerations :—

(1) To select according to seniority of qualification. By seniority he means, I take it, superiority of qualification and priority of dates of taking the same qualification.

(2) To distribute the vacancies among various districts. That, I think, is quite fair, bearing in mind that we are always hearing complaints that in the public services there are certain districts which are more favoured than others. It is quite fair in principle to let every district in Bengal have a chance.

(3) To take in candidates especially recommended, and this too is a fair consideration to which weight may reasonably be given.

(4) To make provision for immediate dependants of assistant surgeons and graduates of the Medical College. This, again, is a matter to which regard may justifiably be paid.

Proceeding on these general lines, he first of all took the one M. Sc. who did not however join. He then took the B. Sc.'s who passed in previous years and 47 B. Sc.'s who passed in 1919. With regard to this matter

of B. Sc.'s there is a serious practical difficulty. I understand that the B. Sc.'s, because of their taking certain subjects at that examination, are entitled to admission to the 2nd year class of the Medical College, and it results therefrom that this class tends to become overcrowded. There is also an objection that students who enter that class straightaway do not get what is considered by the College authorities to be an adequate training in anatomy, and on these two grounds it is not possible to admit more than a certain number of B. Sc.'s. We have, however, the definite statement of the Principal that he filled the second year class up to the highest possible limit, and admitted more B. Sc.'s than in previous years. Having got through the B. Sc.'s he turned to the I. Sc.'s, and of them he took 75 who passed in the first division, 17 from the second division and one third division, the proportion in the first division being again higher than in the two previous years. It may be asked why did he take in second and third division men while he had first division men available? In answer to that Colonel Deare has replied that out of the 18 who were not in the first division, 16 were connected with past students and medical practitioners attached to the College, and I do not think that it is unfair that, up to a point, preference should be given to men of that class, the presumption being that the son of a doctor will have a greater hereditary disposition towards the profession of medicine. Educational institutions in other parts of the world do not hesitate to give preference to the sons of fathers who themselves attended those same institutions.

That is the method which the Principal adopted. He has also given details in his report bearing out his geographical argument. I submit that he has dealt with the matter fairly and with due regard to the various arguments which might be used in favour of particular candidates. He has dealt with it satisfactorily, and he has only followed customary methods which are in themselves perfectly reasonable. In these circumstances, there is no case for the appointment of a committee. On examining his account, and having regard to the grievance which, as I say, I imagine to have orginated the resolution, it has struck me that we might enquire further as to the possibility of screwing up the entrance qualification, say, from the I.Sc. to the B.Sc., if the argument is that we ought to take men of higher qualifications in preference to others of lower degrees. But how far that would be expedient I cannot say offhand, and I cannot promise more than this, that I am willing to make further enquiries from the Surgeon-General and the Principal of the Medical College on the point. But to the main recommendation in the resolution that a committee be appointed, I am afraid I must return a negative.

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, having listened to what the Hon'ble Member has just now said and also to the replies that have been given to certain interpellations this morning I confess that no case has been made out for the appointment of a committee. I take it that the authority who can move a resolution has also the right to ask for the withdrawal of it ; and in that view of the matter, I pray that the resolution may be withdrawn."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 10.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken immediately for the establishment of a Muhammadan Arts College at Dacca.

Khan Sahib Aman Ali.

He said :—

"I think it would be some relief to the Hon'ble Members when I say that I am extremely anxious to get back to Calcutta as early as possible and that, therefore, I do not wish to detain the Council with any unnecessary remarks on this resolution, especially as it had been before the Council on two previous occasions when there were sufficient discussions on it. The question of a Muhammadan Arts College is one of great importance to the Muhammadans of Eastern Bengal and I think it is a matter which has now been definitely considered by Government to be absolutely necessary in fulfilment of the pledge that was given by His Excellency Lord Hardinge on the occasion of his visit to Dacca after the annulment of the partition. The number of Muhammadan students that yearly flock to the various colleges is increasing so rapidly that it has become absolutely necessary that some more colleges should be established in order to take in the students who are coming up in such large numbers, and it has been felt particularly that there should be some special institution where Muhammadan parents could secure for their sons such instructions as would be more suitable for Muhammadan boys. The question of a Muhammadan Arts College for Calcutta has also been considered on more than one occasion and I find in the Report of the Universities Commission—the little that I read of it—that the Commission is of opinion that a sufficiently strong case has been made out for the establishment of a Muhammadan Arts College in Calcutta. If that be the condition of things in Calcutta, it is with still greater reason that I urge on your Excellency's Government that the question of a Muhammadan Arts College for Dacca should be taken up at once. On former occasion we were told, and I admit, with sufficient reason, that the whole question should not be finally decided till the Universities Commission has submitted its report. That report has now been submitted; and, as I have already stated, the Commission does recognise the necessity for establishing a Muhammadan Arts College in Calcutta. The difficulties of Muhammadan students in getting admission into the existing colleges are at the present moment as keen as ever and, unless steps are taken for the establishment of a college at once, I may say that the road of high education, so far as hundred of Muhammadan students are concerned, will be blocked without any justifiable reason. I do not know what statement the Government is going to make with reference to this resolution. I, however, do not wish to take up the time of the Council any further because if a satisfactory statement is going to be made, it is unnecessary on my part to go into details. For the present I simply put the resolution for consideration."

The Hon'ble Khan Sahib Aman Ali said :—

"My Lord, the number of Muhammadan students is now growing very rapidly. I may speak of one college at Chittagong where 95 candidates were registered during a summer vacation. After the college re-opened another 30 students applied for admission. Out of these only 40 boys were admitted. From this it will be seen in what a difficult position the Muhammadan students now are. They have now taken to English education in right earnest and if at this stage their desire is not fulfilled they would feel it very much and their progress would be very slow. Therefore a special college for Muhammadan students has become an essential necessity. The case I have cited is not an isolated one. If the Government make inquiries, they will find that such a state of things prevails in Comilla, in Dacca and various other places. I know of some of these Muhammadan students being admitted in the Dacca College but there are many who are refused admission simply because there were no seats. These considerations have compelled

us to appeal to your Excellency's Government for a college for Muhammadan boys. With these remarks I beg to support the resolution."

The Hon'ble Mr. Dunn said :—

"My Lord, the Hon'ble Maulvi Fazl-ul-Haq has stated that the Calcutta University Commission has recommended the establishment of a Muhammadan Arts College. It will be my business in the course of my reply to explain that that is not altogether an accurate statement of the suggestions made by the Calcutta University Commission in their report. The resolution recommends that steps be taken immediately for the establishment of a Muhammadan Arts College in Dacca. The acceptance of this resolution would presumably lead to the founding of an Arts College staffed by Muhammadan lecturers and attended exclusively by Muhammadans, the institution being affiliated in the meantime to the University of Calcutta and perhaps in the future to the University of Dacca. The proposal is not a new one. It was considered in the deliberations of the Dacca University Committee and it was worked out in detail by the Hon'ble Mr. Hornell in 1915. It will not be out of place to state briefly what his proposals were. Provision had to be made in this proposed Muhammadan College for two sets of students (1) those who would follow the general course leading to the ordinary degrees in arts and (2) those who would read a special course in the department of Islamic studies. The original proposal having got so far there is every reason why the Muhammadan community of Eastern Bengal should be anxious to secure this type of institution. The scheme has long been under consideration, it was carefully discussed by the University Commission and I am glad to say that in the Calcutta University Commission Report every consideration had been given to the educational needs and aspirations of the Muhammadan community in Dacca and in Eastern Bengal. It is almost certain that the problem of Muhammadan education in Eastern Bengal will be solved in a manner much more satisfactory if the proposals of the Calcutta University Commission's Report are accepted in full, and if the resolution now before us be adopted and put into force. At this stage I may be allowed to give the briefest summary of the proposals of the Calcutta University Commission in so far as they deal with the question now at issue. In their report it is stated that a purely Musalman college would seriously limit the educational opportunities of Muhammadan students in Dacca and Eastern Bengal, that in the place of such an institution a University Moslem Hall should be founded. This would not segregate the Musalman from the Hindu students so far as the actual University work is concerned but would enable them to mix with the latter and to join in the general life of the University. This institution would necessitate a large provision for Muhammadans in Intermediate Colleges either in Dacca or in the surrounding muffassal districts and would not prevent the admission of Muhammadan students to other halls in the University if they so desired. When the Moslem Hall is full the question will arise whether a second similar hall should be erected or whether Muhammadan students would join mixed halls.

From these facts, Sir, it is fairly clear what the University Commission had in mind. For all the special purposes of the religious and social life of the Muhammadans ample provision has been made within the new Dacca University as at present outlined, but this provision will be so designed as to enable them to join in the full life of that University, to share in the best lectures and to enjoy the privileges of the best tutorial assistance. By this time it is well known that all Intermediate College work has to be removed from the sphere of University control and attached to high schools and to separate Intermediate Colleges. It is vital, therefore, that in these new institutions the interest of the Muhammadan community should be guarded

Maulvi A. K. Fazl-ul-Haq.

The University Commission have recommended definitely that an Intermediate College for Muhammadans should be founded in Dacca. This scheme is already under the consideration of the Education Department and there is no reason to believe that it will be long delayed. The higher education for Muhammadans runs broadly on two lines. The first is the purely oriental, classical or Islamic course of study for which ample provision will be made in the new University. The second is what is best described as the general course of study in Arts and Science Colleges. I am glad to be able to say that as regards the first, or the purely Islamic side of educational work, Government have already extended the courses of the senior Madrassa in Dacca to intermediate Islamic courses leading to further advanced study in the University when founded. Students have already passed from the senior Madrassa into these intermediate classes and provision is being made for the further encouragement of this work. On the one side therefore of Islamic education we may claim to be well advanced in Dacca, and to have anticipated the founding in the new University of courses of Islamic learning. By the time the University of Dacca is established there will be ready for this course a considerable number of Muhammadan young men. As regards the second or the general course I would point out that provision has already been made in Dacca of a Moslem High School wholly supported by Government. On the basis of this institution it is my intention to suggest to the authorities that an Intermediate College for Muhammadans be founded. Study in advance of the intermediate stage will be taken up in the University but for Muhammadan boys who will take up such study it is imperative that they should anticipate the demand which their later professional or official life will bring and mix with their fellow students of different races and religion on a footing of equality, thus securing the full benefit of University culture and discipline. In conclusion therefore I have to say that everything desired in the resolution under consideration has been anticipated by the Calcutta University Commission's Report, and that this resolution will be best realised by the foundation of a Moslem Hall in the new University, by the alternative courses of instruction on the Islamic and on the modern sides and by the creation of preparatory intermediate colleges, one of which for classical study has already been founded at Dacca, while the other is under immediate consideration. For these reasons I am not prepared to recommend the resolution to the Council."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, I find what I rightly anticipated, that the reply of the Government as regards this resolution would be satisfactory. In view of what has been stated by the Hon'ble Mr. Dunn I think, my Lord, I can claim that the Government are prepared to accept the resolution. We have been told that the Intermediate College in Arts is already in contemplation. If that is so, it means that my recommendation that a Muhammadan Arts College at Dacca be established, is accepted. I have purposely refrained from saying that we want a first grade college of arts and if an Intermediate College in Arts is already in contemplation the resolution does not ask for more than what the Government themselves are going to do. I think I ought to say in justice to myself and those of my friends who have been good enough to support my resolution on previous occasions and also to-day, that we never wanted that this Muhammadan College or Moslem Hall, whatever it may be called, should be staffed by Muhammadan professors only and that it should be open only to Muhammadan students, and that non-Moslem students should not be allowed to study there. My Lord, we have no objection to having non-Moslem tutors and professors provided they are fully qualified and we have also no objection in taking in non-Muhammadan students provided that amplest facilities are given to Muhammadan students and that there are not

Maharajadhiraja Bahadur of Burdwan; President; Mr. Dunn; Maulvi A. K. Fazl-ul-Haq.

enough Muhammadan candidates seeking admission in the college. This is of course by the way—in order to make clear what we want in regard to an arts college. But I repeat that the recommendation does not ask for more than what the Government are prepared to do and in that view of the matter I think I can fairly claim that the resolution has been accepted by the Government. If there is any objection to the word 'immediately' and if the word be considered to be too peremptory, I am prepared to substitute the words 'at an early date.'

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"I do not think, my Lord, after what Mr. Dunn has said that there is any need to accept the resolution."

The President said :—

"I understand that the Hon'ble Maulvi wants to put the resolution to the Council, though he understands that what the Government are willing to do is equivalent to an acceptance of the resolution. On the other hand the Hon'ble Mr. Dunn has said that he cannot accept the resolution, so that Hon'ble Members are put in some difficulty in knowing what their action should be. If the Hon'ble Mr. Dunn could explain, in reply to the Hon'ble Maulvi's contention, that what Government are doing is equivalent to accepting the resolution, then Hon'ble Members would be in a better position to know to what decision they should come to."

The Hon'ble Mr. Dunn said :—

"My Lord, I am sorry if I failed to make my intention perfectly clear to the Hon'ble Member, but it seems to me that if we were to accept the resolution as it at present stands, namely, one which desires to start a Muhammadan Arts College at Dacca, we would be striking at the very root of those principles which the Calcutta University Commission have been at such pains to explain in their lengthy and interesting report. I understand that the Hon'ble Maulvi Fazl-ul-Haq is in possession of that report. I have tried to explain what the intention of the Commission is with regard to the Muhammadan education at Dacca. Might I, with your permission, recapitulate one or two points. The foundation of a Moslem Hall is recommended for the new University. Work preceding entrance to the Moslem Hall will be carried on in intermediate colleges: one for Muhammadans has to be founded in Dacca and the other in the intermediate classes which I have already made clear, are now in operation in the Dacca Madrassa. This Moslem Hall will provide for the social, religious and racial interests of Muhammadans, but, while carrying on their studies in that particular type of institution in the new University they will have the full benefit of all lectures or all tutorial assistance whether it be given by Europeans or Indians either Muhammadan or Hindu. If that does not fulfil the intention of the present resolution I am afraid I fail to understand exactly what this resolution is intended to convey."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"After what Mr. Dunn has said I find that his remarks fulfil the purpose of my resolution and I, therefore, contend that my resolution has been accepted."

The motion was then put and lost.

Maulvi A. K. Fazl-ul-Haq ; Maulvi Abul Kasem.

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken immediately for the appointment of qualified and suitable Muhammadans as Professors and Lecturers in Colleges in Bengal.

He said :—

"My Lord, I must admit that the questions raised by this resolution are of a somewhat delicate character, because it might be construed that if we are going to introduce racial considerations into educational questions, other questions of a controversial character, are bound to arise. Nothing was further from our thoughts than this, and if I have been induced to bring forward this resolution for the consideration of your Excellency's Government it is for the reason that in several instances I have found extremely qualified Muhammadans who have applied for posts of lecturers and professors in colleges have unfortunately been unsuccessful in their efforts to get an appointment. I do not wish to impute to anyone who has got the gift of these appointments in their hands, any motives of a questionable character, but I do say that if the failure of qualified Muhammadans to secure lectureships and professorships had been few and far between, we might have thought that the grievances of unsuccessful candidates were of a more or less sentimental character, but I find that hardly a week passes when we do not get complaints from extremely qualified persons, and we are therefore at a loss to understand how candidates possessing such qualifications can fail to get such appointments. I understand that the Director of Public Instruction has got nothing to do practically with these appointments and that he has delegated his functions to the various managing committees or governing bodies as they are called of the various colleges in the Presidency. I am afraid that on these governing bodies Muhammadans are not properly represented and it may be that non-Muhammadan gentlemen who are serving on these governing bodies fail to appreciate the claims of these Muhammadan candidates properly and it is on this account that these grievances have arisen. If I am correct in my surmise, I think your Excellency's Government might devise some means for the proper representation of Muhammadans on these governing bodies or devise some other means by which these grievances might be removed. The question is of a very simple character, and I do not think I would be justified in taking up the time of this Council by any further remarks."

The Hon'ble Maulvi Abul Kasem moved by way of amendment, that in the resolution of the Hon'ble Maulvi A. K. Fazl-ul-Haq, item No. 11 in the List of Business, after the word "Colleges," in the last line, the following words be inserted, viz:—

"and as Head Masters and Assistant Head Masters and teachers in Government and aided schools."

He said :—

"My Lord, it is with a good deal of diffidence that I move not only this amendment, but rise to support the resolution of my Hon'ble friend Maulvi Fazl-ul-Haq. It will be seen that we, the Muhammadans of this Council, always in season and out of season cry out in one form or another for help in the case of Muhammadans in the Educational service. My friend says he has been induced to give notice of this resolution because he has heard that qualified Muhammadans have applied for appointments

as lecturers and professors, and they have failed to secure them. My object in supporting it, when notice of the amendment was given, was due to a different cause. I want that there should be some professors and lecturers in colleges as well as some teachers in high schools, not on the ground of securing employment for Muhammadan graduates, however desirable that may be, but for the purpose of creating in the educational institutions, an atmosphere sympathetic to Muhammadan students reading in that school or college. In a school where there is not a single or sufficient number of Muhammadan teachers the Muhammadan students find themselves like fish out of water and are not generally treated with that consideration or regard for their particular feelings and sentiments as they would be if there was any one on the staff of the educational institution to advise the authorities about them. It is generally the Persian professor or the Persian teacher who is the adviser of the head master or the Principal on all questions affecting the interests of Muhammadan boys. In my humble opinion it is not sufficient and does not at all meet the needs of the student community. The resolution with the amendment reads like a big order on the Government that the professors and lecturers and head masters, assistant head masters and teachers in Government aided schools should be Muhammadans. But we do not mean to say that in every college or each particular college there should be professors and lecturers and teachers who should be Muhammadans. What we suggest is that even if we are not explicit in the resolution, an attempt should be made to provide educational institutions with Muhammadan teachers be they head masters, or assistant head masters or if that is not practicable, simply as teachers in aided and Government schools. That will go a great way to make the position of the Muhammadan students in the schools comfortable and will remove much of their grievances and the sufferings under which they are labouring at the present moment. I do not think that it would serve any good purpose to make any lengthy remarks on this subject but I hope that this resolution will be accepted by your Excellency's Government."

The Hon'ble Mr. Dunn said :—

"My Lord, it will probably simplify matters if I deal with the resolution and with the amendment which are substantially the same, together. I would like to preface my remarks by the statement that I am, as far as possible, in the fullest sympathy with both the resolution and the amendment. The first resolution may be taken to mean that an early decision should be made to appoint to colleges in Bengal, Muhammadan professors and lecturers whose qualifications admit of such appointments. The Education Department has already given much thought to this question ; and it sympathises with the desire of the Muhammadan community that the number of Muhammadan appointments in the educational service should be increased. Whenever appointments come to be made, the claims of Muhammadans (who have the necessary qualifications) receive most careful attention. It is desirable that most colleges should have, in addition to those who teach the Moslem classics, some Muhammadan members on their staff. This principle has already been recognised. But it is obvious that in the interests of the public at large, and in the interests of the Muhammadans themselves, the demand of any special community for representation cannot be allowed to overpower the claims of efficiency. The standard of education in our colleges must be maintained at as high a level as possible ; and so long as this principle is adhered to, the Department of Education is prepared to consider all claims to collegiate posts that Muhammadan candidates may put forward. I am of opinion that had specific cases of hardship been quoted it would have been easier to deal with this resolution and this

Maulvi A. K. Fazl-ul-Haq.

amendment. I am told by both the Hon'ble Members that the system of appointment in colleges is not altogether satisfactory and the Director of Public Instruction has practically delegated his functions and powers to governing bodies who may be non-Moslem in their constitution and whose sympathies may be antagonistic to the Muhammadan community. That, Sir, is scarcely a fair representation of the facts. It is necessary that responsible bodies such as the managing committees of schools and governing bodies of colleges should be empowered to represent the claims of their selected candidates for important posts, otherwise what would be the use of having governing bodies at all. The proposals of these governing bodies must be carefully considered ; but it is not accurate to say that appointments are made solely on the recommendations of the governing bodies of colleges or managing committees of schools, and wherever possible, subject to the very necessary condition of efficiency, the interests of Muhammadans are being considered. It will appear, therefore, that the intention of this resolution will be best realized if the interests of highly qualified Muhammadan applicants for posts in colleges be left to the care of Government and to the Government Department of Education.

As regards the amendment, the statement I have already made referring to this resolution will apply with equal force ; but in this connection there are certain difficulties to be faced. It is extremely hard to secure qualified Muhammadans as head masters of schools ; the reason is a very simple one. A Muhammadan who takes a pass degree or better than a pass degree is usually in a position to secure a much better appointment than that of a teacher in a school. I think I am not exaggerating the case when I say that our ablest Muhammadans are not in the ranks of the educational service and still less are they in the ranks of the aided school system. When, therefore, promotions to the higher posts come to be made it frequently happens that the Muhammadans available are inferior to their Hindu fellow teachers. Promotions in this case would be undeserved and would inevitably lead to a serious lowering of standards. These remarks apply to head masterships, and assistant head masterships. As regards teacherships the Department of Education exercises influence through its grant-in-aid rules, and the appointment and dismissal of teachers have to be reported to the Inspectors of Schools and in addition to this it has been ordered that in all aided schools where there is any considerable Muhammadan population, arrangements should be made for teaching of Arabic and Persian. Beyond this it is scarcely possible for the Department of Education to go without causing undue hardship to those already teaching in schools or to such as may apply for posts vacant in aided institutions.

For these reasons, Sir, while I sympathise with the aspirations which have been expressed I am unable to support either the resolution or the amendment."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I was responsible for the remark that the Director of Public Instruction has practically delegated his powers and functions so far as these appointments are concerned to various governing bodies or managing committees of schools and colleges. The Director of Public Instruction has taken exception to that remark but I do not think I need enter into a controvesy as regards the correct interpretation of the position as to the appointment of candidates to these various posts. My chief object in saying a few words is to make my position clear so far as my own resolution is concerned. In the first place I wish to assure this Council that it has never been my intention to suggest that the demands of the Muhammadan community or for the matter of that the demands of any other community for a proper representation in the various posts in the Government service can for a

moment be permitted to override the higher interests of efficiency. It is for this reason that even in this resolution I have been careful to add the words 'qualified and suitable' and nothing is further from my thoughts than to suggest that merely because it is desirable that Muhammadan teachers and professors should be on the staff of educational institutions that Government should go out into the street and catch hold of every Muhammadan teacher and put him into a post in order to fill up a possible vacancy. I do insist that the first *sine quâ non* for any appointment must be the qualifications according to rules which should be rigidly observed in the case of all candidates whether Muhammadan or non-Muhammadan. My contention is that the claims of a Muhammadan candidate who fulfils the necessary qualifications should be favourably considered even though there may be a non-Muhammadan who is equally qualified. It is thus and thus only that we should be able to secure for these educational institutions something like a reasonable representation of the Muhammadan or any other communities in this Presidency.

Then, my Lord, I have been told that it would serve the interest of my own community best if I were to leave the case of the appointment of Muhammadan teachers and professors to the care of Government and their officers. That we are perfectly prepared to do. I started with the suggestion that the Director of Public Instruction does no longer hold the appointments in his hands and I thought that it is for this reason that the claims of the community would be overlooked. I, therefore, suggested that if these functions are to be delegated to any committee or any governing body, care should also be taken to see that the interests of the various communities are properly represented on these bodies. I have been told, my Lord, that one difficulty in the way of getting suitable Muhammadans for the posts of lecturers and professors lies in the fact that whenever a Muhammadan passes out, he generally gets employment elsewhere. Possibly reference is made to the appointments which are annually made by the Chief Secretary to Government, but I think the Chief Secretary himself will bear me out when I say that there are hundreds of exceptionally meritorious Muhammadan candidates who failed to get admission into the provincial service, either the executive, or the judicial, the police service or the excise and salt. There are several exceedingly fine Muhammadan candidates every year who first of all seek for admission in these services and when they fail, they seek admission into the Education Department, or they flock to the University Law College and add to the number of unsuccessful legal practitioners in this country.

I know of certain Government appointments which are ear-marked for non-Muhammadans. However, with the individual cases of hardship I am not concerned and I have purposely refrained from bringing forward in support of my resolution any case of individual hardship by reason of the fact that the introduction of individual cases in this discussion would import into our speeches something like personalities which ought to find no place in the discussions in the Council. I know of several cases and I hope the Director of Public Instruction will take them from me. I will give the facts of each particular case when I meet him next: but so far as the Council is concerned I do not wish to disclose these particular facts at this stage. I do stand by the resolution as originally put before the Council, and I submit that I have made out some case for its acceptance by the Government. If the Director of Public Instruction does give each individual case, as it comes up, his best consideration and takes proper steps to revise the decisions of these advisory committees with a view to properly representing the various communities on these bodies, the purpose which I had in view in bringing forward this resolution will be served. I understand the Director of Public Instruction to say that care is taken to properly safeguard the interests of the Muhammadans and I have no doubt that this is done. My Lord, in this

view of the matter I do not think that it will serve any useful purpose if I delayed the discussion any further. I beg with Your Excellency's permission to withdraw the resolution."

The motion and the amendment were then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that suitable provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where such provision does not exist at present.

He said :—

"My Lord, as I anticipate a sympathetic and favourable consideration of this resolution by Your Excellency's Government, I do not want to take up the time of the Council by making a speech in support of it. The only thing I would like to say is this. I am aware of the fact that there is a condition in granting aids to schools and colleges that provision should be made for the teaching of Arabic and Persian as has been stated by the Director of Public Instruction just now. But I know of educational institutions where this condition is fulfilled by appointing a Muhammadan gentleman as a Persian and Arabic teacher on a miserable pay who cannot and does not practically discharge the duties for which he is taken. It is simply, I take it, for the purpose of carrying out the order in the letter of the Education Department that this is done. I hope and trust that steps will be taken to see that in all cases arrangements are made for the teaching of Arabic and Persian and for the maintenance of a properly qualified teacher.

With these words, my Lord, I commend the resolution for the consideration of this Council."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I have to oppose this resolution. My Muhammadan friends will agree with me that they consider Bengal to be their mother country and Bengali their mother tongue. So I am really astonished to see why they should try to move such a resolution as this. It would be necessary if the resolution of my friend be accepted that two extra teachers would have to be appointed in all schools and colleges in Bengal, namely, one for the teaching of Persian and the other for Arabic, for I know as a matter of fact all Persian teachers are not good Arabic scholars and they are not in a position to teach both Arabic and Persian. Then, there is another thing to be taken into consideration. There may be one or two Muhammadan boys in a school, and even in that case to make arrangements for the teaching of Arabic and Persian it will be necessary to employ two teachers. As a matter of fact what is now being done is that in all schools where there is a decent number of Muhammadan boys teachers are appointed to teach Persian and Arabic, and in schools and colleges where there is not a decent number of boys who want to read Arabic and Persian, teachers are not appointed. But the present resolution of my friend is a very large order upon Government and for these reasons I oppose this resolution."

Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, the Hon'ble Babu Surendra Nath Ray has thought fit to oppose this resolution perhaps under a misconception. He is such an ardent supporter of Muhammadan claims that I was somewhat surprised when he rose to oppose the resolution, but after listening to him I find that he has not been able to adequately grasp the real reason which induced my Hon'ble friend, Maulvi Abul Kasem, to give notice of this resolution. I will, therefore, take the liberty as briefly as possibly to explain to him the position of Muhammadan students in the various schools and colleges. I do not think I need waste much time in trying to press the fact that a Muhammadan student like all oriental students considers that any education that he does receive must not be at the sacrifice of any religious training that he ought to receive at the same time. My friend knows very well that although Bengali happens to be the mother tongue, the Muhammadan student has got to read Arabic and Persian in order to be well versed in his religious language and literature. All his religious books and literature are in Arabic and Persian and it would be absurd to expect that a Muhammadan parent would send his boys to an educational institution where there are no facilities for the teaching of these two languages, which they consider almost as sacred languages, for the reason that their religious books are written in these two languages.

My friend has said that the acceptance of this resolution would mean that two extra teachers would have to be maintained at each school and college. Well, if the recommendation contained in this resolution does go to that length, I am prepared to suggest that that course should be accepted. We have been told and we are always told that the Muhammadans are extremely backward in education and that their backwardness is a serious hindrance to the progress of other communities. I admit that the backwardness in education of so large a proportion as 56 per cent. must be a serious hindrance to the progress of the country as a whole and therefore it is not merely in the interests of the Muhammadans alone that the facilities should be given to the Muhammadans in the matter of teaching Arabic and Persian and that every inducement should be given to them to take advantage of the various educational institutions. In this connection I would like to remind my Hon'ble friend about the deputation which waited on Lord Hardinge in 1912, and which went so far as to say that although the special facilities given to Muhammadans would be resented by non-Muhammadans they would be perfectly prepared to accept any suggestion of Government or any steps that might be taken by them in order to provide ample facilities in educational matters. I take it, therefore, that so far as educational problems are concerned our friends ought to give their whole-hearted support to all schemes in furtherance of Muhammadan education in this country. If the acceptance of the resolution involves the appointment of two teachers at an extra cost of say Rs. 50, Rs. 60 or Rs. 100, I submit that the cost will not be too much in consideration of the objects that are to be achieved. The question therefore arises whether the provision for the teaching of Arabic and Persian is so very essential and so very necessary. I submit with all the emphasis that I can command that the provision for the teaching of Arabic and Persian is necessary for all institutions. If you do not appoint teachers or professors for the teaching of these languages in all schools and colleges how can you expect that students should go and take admission in these institutions. It cannot therefore be argued that no case has been made out for the appointment of Arabic and Persian professors. It may also be argued that there is no demand for such teaching, and to this I should say that provision should first be made for the teaching of these languages and then you may be in a position to see whether there is really any very great demand or not, but you cannot, by making no provision, say that there is no demand for the teaching of these languages. I submit, therefore, my Lord, that provision must be

made for the teaching of Arabic and Persian in all schools and colleges and I do not think that any question of expenditure should at all enter into the consideration of this question. For all these reasons I most strongly support the motion which is substantially the same as the next resolution which stands in my name."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"There is an important consideration in connection with this question of which both the Hon'ble Mover of the resolution as well as the gentleman opposing it have lost sight. Although Bengali is the mother tongue of Muhammadans in this province it is not yet reckoned as a classical subject in the University. Unless, therefore, facilities for the teaching of Persian and Arabic are provided in schools and colleges, Muhammadans will be obliged to take Pali or Sanskrit. I do not object to their taking either of these languages from the point of view of scholarship, but it would be a distinct hardship to the community if for want of facilities they were obliged to do so. If we provide for Sanskrit in a province so largely populated by Muhammadans equal facilities should be provided for the Arabic and Persian if they wish to take to them. Therefore to complete educational arrangements, specially from the point of view of Muhammadans, facilities for the teaching of Arabic and Persian will have to be provided for. My Lord, I cannot quite understand Mr. Ray's point of view in opposing this resolution. Of course the money question is always there, but we are trying to improve Muhammadan education which certainly demands that some arrangements should be made. I do not want to be unkind to my Muhammadan friends, and remind them now they did all they could to get rid of the very little Arabic insisted on by the University in connection with Persian. The objection was on the score of the difficulty of Arabic to the Bengalee Musulman. It can hardly be therefore that there will be widespread demand for Arabic as an independent subject. But where there is such a demand I think that every facility should be given for the teaching of Arabic, a subject which ought to be thought of in connection with their religious and other teachings. One cannot, however, agree that every school and college, irrespective of real demand, should have arrangements both for Arabic and Persian."

The Hon'ble Mr. Dunn said :—

"My Lord, the Hon'ble Maulvi Abul Kasem in moving this resolution has stated that what he really desires is an improved quality of instruction rather than the extension of that instruction. But this is a very different thing to the intention of the resolution now before us, that suitable provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where such provision does not exist at present. No more comprehensive demand can be made for the teaching of Arabic than that which has been put forward. I feel compelled, therefore, to deal with this resolution as it stands while keeping in mind the corollary which the Hon'ble Maulvi Abul Kasem has added to the resolution. Unquestionably it is one that affects deeply the whole Muhammadan community of this Presidency. At present the principle underlying the resolution has been recognized in the fact that suitable provision for the teaching of Arabic and Persian is being made in all schools and colleges under Government control. In this case, it is altogether reasonable to suggest that similar provision should be extended to schools other than those under Government management, where the interests of Muhammadan learning appear to have been neglected. If the principle is recognized in Government institutions, then we cannot set it aside in aided institutions. In dealing with the details I shall take each type of institution in turn. Of the 6 Government colleges in the Presidency, all are affiliated in Persian and 4 in

Arabic up to the pass standard of the B. A. degree. Up to the honours standard, 3 are affiliated in both Arabic and Persian. Of the 13 aided colleges in the Presidency, 4 are affiliated in Persian up to the B. A. pass standard. Of the 13 unaided colleges, 2 are affiliated in Persian and 1 in both Arabic and Persian. Of the whole number of 32 colleges, 13 are affiliated in Persian to the pass standard, 4 to the honours standard, 5 to the pass standard in Arabic, and 3 to the honours standard in Arabic. In calculating the total number of colleges I have omitted the two training colleges for teachers which do not undertake graduate instruction, and such institutions as the Sanskrit College in Calcutta which cannot be expected to teach either Arabic or Persian. It is scarcely possible for the Education Department to bring pressure to bear upon unaided colleges in the Presidency. The controlling authority for such institutions is not the Department of Education but the University of Calcutta ; and to the widespread influence of that institution, I would venture to recommend the resolution of the Hon'ble Member.

As regards schools as distinct from colleges, we have to deal with Government institutions, with aided institutions and with those under private control without the enjoyment of a grant-in-aid. The only Government schools in which no provision is made for Arabic or Persian instruction are the Sanskrit Collegiate School and the Hindu School, but in these institutions no Muhammadans now read. It would not be reasonable, therefore, either to make provision for the teaching of Muhammadan classics in these institutions, or to bring pressure to bear upon them in order to introduce such instruction. I take it, Sir, that the resolution of the Hon'ble Member does not fully cover such institutions as I have described, although it asks for provision for the teaching of Arabic and Persian in all cases where such provision does not exist at present. As regards aided institutions, the attitude of the Education Department has been towards the encouragement of the study of Arabic and Persian. Inspectors have been specially instructed to investigate the needs of all schools situated in Muhammadan localities where the teaching of Arabic and Persian has been neglected. In all aided high schools, also, the need for the provision of instruction in the Islamic classics is carefully considered when grants are sanctioned for the first time or when grants come to be renewed.

As regards private schools, their control lies with the University of Calcutta ; but the Education Department has to report on the condition of these institutions for the University. In every case the reports submitted to the Syndicate lay stress upon the need (where the need exists) of Maulvis for the teaching of Arabic and Persian. In conclusion I would state that in Eastern Bengal where the Muhammadan population is large it is safe to say that very few, if any, of the high schools fail to teach one or both of the Muhammadan classical languages. Here at this stage I do not feel myself justified in entering into a discussion on the quality of that instruction. In Western Bengal where conditions are altogether different, there are many schools where no Maulvis are entertained, but in these schools in that area, I have no ground for the belief that a reasonable demand exists for this kind of instruction. Any complaints on this question from local Anjumans and other responsible bodies invariably meet with careful consideration ; and I shall be glad to investigate at any time any specific instances of neglect of Muhammadan interest in schools or colleges that may be brought to my notice. If then the resolution means that Arabic and Persian studies should be introduced in schools and colleges wherever they are desired, I would support it, as my department has already done, without hesitation and with enthusiasm. But if the resolution means that we must thrust Islamic studies upon schools that neither desire nor can make use of them, I am afraid that I cannot recommend its acceptance by this Council."

Maulvi Abul Kasem.

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, when I moved the resolution I thought that it would be accepted on behalf of the Government and that there would be no discussions over it, but the opposition of my Hon'ble friend, Babu Surendra Nath Ray, came upon me as a surprise. I am sorry to find that he does not see the difficulties of the Muhammadan students in this connection. If he had been able to do so he would certainly have supported the resolution as it stands, as I believe there is no one in this Council more anxious to see Muhammadan boys advance in education than the Hon'ble Babu Surendra Nath Ray himself. I am told that the resolution, as drafted, was different in spirit from my speech in introducing it to the Council because I am told, that I added a corrolary to it by saying that the quality of the education should be improved. By 'suitable provision'—the wording is quite clear—I meant that there must be capable teachers to teach Arabic and Persian and that the teachers must not be any and every Muhammadan caught hold of in the streets and installed in the chair of the Arabic and Persian Professor. As regards the demand for suitable teachers by high schools, I may relate an incident. When the present Director of Public Instruction was in charge of education in the Burdwan Division, the local association approached him on a matter of this kind. He held an inquiry as regards one particular school which used to maintain a Persian teacher on Rs. 30 a month. He held consultations with the authorities and came to the conclusion that the teaching was inefficient and he insisted upon the school authorities appointing a suitable teacher which the school authorities had to do. The result has been that within two years the number of Muhammadan students reading Arabic and Persian in that high school has risen from 10 to 85. This justifies me in saying that, if a proper provision is made for the teaching of these two languages, the number of Muhammadan students would certainly increase in our schools and colleges. It has been said that such provision has been made so far as Eastern Bengal districts are concerned, but if we examine the facts, we find that a good many Muhammadan boys take up Sanskrit as their second language, even in Eastern Bengal. Like the Hon'ble Sir Deba Prasad Sarbadhikari, I also do not object to Muhammadans taking up Sanskrit for academic distinctions or scholastic studies, but the difficulty is that they take up Sanskrit because the teaching of Arabic and Persian is not efficient and they cannot expect to get through the examinations, and the result is that they are driven to take up Sanskrit. The real object as to why we insist on Muhammadan boys taking up Arabic and Persian studies is not only that our religious books are written in those languages, but for the fact that, without a proper study of Arabic and Persian, a Muhammadan loses in himself the Islamic character and also his position in Muhammadan society. The society demands that a Muhammadan must have the Islamic culture in him which can only be found in these two languages, and he is also expected to know the ancient civilization and the history of his own race which are recorded in these two languages. I think, so far as the objection of my Hon'ble friend, Babu Surendra Nath Ray, is concerned, a sufficient reply has been given to him by the Hon'ble Sir Deba Prasad Sarbadhikhari, whose long experience as the Vice-Chancellor of the Calcutta University has given him opportunities of studying the Muhammadan education problem, and the conclusion he has come to about this matter must commend itself to all interested in Muhammadan education. As my Hon'ble friend, Maulvi Fazl-ul-Haq, has stated, the question of the advancement of Muhammadan education is so important that anything that ought to be done in this direction will have to be done not only in the interests of the Muhammadans themselves, but also in the interests of the province at large. We are told that we are handicapping the rest of the province. If that is so—and I admit to a certain extent it is true—then the earliest possible opportunity should be taken to remove this handicap and bring the Muhammadan on a par with Hindus so that the progress of the two communities may be parallel all along. The Hon'ble the Director of Public Instruction was kind enough to point out

that the profession of the teaching of Arabic and Persian cannot be made in *all* colleges in Bengal, for instance, it cannot be made in Sanskrit Colleges. But what we meant was that this provision may be made in colleges and schools where there were largely Muhammadan students. The task of getting admission into colleges has already become very difficult and there are two resolutions on the agenda paper to-day asking for provision to be made for candidates who have failed to get admission into colleges. Many colleges refused to take any Muhammadan boys, because, by taking them in they would not only have to refuse admission to Hindu students, but they will also have to take upon themselves the responsibility of making provision for the teaching of Arabic and Persian, but, by turning them out, they will be relieved of the responsibility of maintaining a separate staff. Some three or four years back when this difficulty first arose, I suggested, when discussing the Financial Statement, that some provision should be made for helping private institutions and aided colleges with the special object of maintaining Arabic and Persian teachers in order that Muhammadan boys may receive education and may not be refused by any institution on that account. We have been told that, out of 13 colleges, only 4 are affiliated in Arabic pass. That is true. Most of the boys find difficulty in getting admission into colleges and the Muhammadan boys find it more difficult still. I remember the case of a Barisal student who took Arabic for his I. A. examination. He came to Calcutta and tried to get admission into one college which taught Arabic there. He could not get admission. Then he came to Dacca and by the time he came here the class was full and he could not be admitted. He went back to Barisal and ultimately he had to give up his studies altogether. So it must be admitted from the case I have just cited, as also that of Burdwan cited at the beginning of my speech, that, if suitable arrangements are made for the teaching of Persian and Arabic, there will be no lack of students. I may also cite another instance, and it is also perhaps known to the Hon'ble the Director of Public Instruction, that in the district of Burdwan there was a school in which arrangements were made for the teaching of Arabic and Persian. Unfortunately at that time there was no vacancy in the grants-in-aid list, no grant-in-aid was made to it, and the school had to dispense with the services of the Persian and Arabic teachers. The Secretary and Proprietor, having failed in business, could not pay the cost of keeping them. We tried our best to secure a small grant-in-aid from the Education Department for that school in order that it might keep up its Persian and Arabic classes, but for the reasons stated above, we were unsuccessful, and the result has been that a large number of Muhammadan boys had to be sent away. These are the grounds on which I have brought forward this resolution and I think there will be no harm in accepting it."

The Hon'ble Mr. Dunn said :—

"My Lord, I should be extremely unwilling to create the impression from any remarks which I found it necessary to make that my sympathies were not whole-heartedly with the Hon'ble Maulvi Abul Kasem in the general intention of his resolution. I think his purpose will be served if the resolution were to be as follows :—

'That provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where, owing to the presence of Muhammadan students, such provision is desirable.'

If that resolution be accepted I would like to take this opportunity of promising that, through the agency of my office and the Inspectors, a complete survey will be made of the existing provision for the teaching of Arabic and Persian and that such cases as the Hon'ble Member has referred to in the district with which he is connected will be very carefully attended to. The

Maulvi A. K. Fazl-ul-Haq ; Mr. Dunn ; Maulvi Abul Kasem.

general intention of the resolution is, I take it, clear and with the slight emendation which I have made, it will not only be clear but from the point of view of procedure more acceptable."

The Hon'ble Mr. Fazl-ul-Haq said :—

"Ordinarily I would not have the right of reply, but having regard to the fact that the next resolution which stands in my name on the same subject cannot now be moved, I beg your Excellency's permission to say these few words. The resolution, as now drafted, by the Hon'ble the Director of Public Instruction does meet our demand to a very great extent, but I would only ask him to consider—better still to reconsider—words at the end of the resolution which read thus : 'owing to the presence of Muhammadan students, some such provision is desirable'. My Lord, that at once involves an argument that in all cases where there are no Muhammadan students in colleges no provision seems to be necessary. I knew that argument, and it is often hurled at us that where there are no Muhammadans it may be taken for granted that there is no demand for the teaching of Arabic and Persian there. This argument is fallacious. If there are no Muhammadan students I may assure the Hon'ble the Director of Public Instruction, the absence is due to the fact that there is no provision for the teaching of Arabic and Persian. I do not think it is unknown to the Hon'ble the Director of Public Instruction that there are some very devout Muhammadans whose religious susceptibilities are such that they would rather keep their children uneducated than send them to a school where there is no provision for the teaching of Arabic and Persian. I submit that the question should not be left vague depending upon the presence or absence of Muhammadan students alone. I urge that this provision has got to be made. With these few remarks I would suggest that the Hon'ble the Director of Public Instruction might be pleased to reconsider his draft."

The Hon'ble Mr. Dunn said :—

"I would amend it again as follows :—

'That suitable provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where owing to the presence of Muhammadan students or owing to the demands of the Muhammadan community such provision is desirable."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"I will accept it."

The Hon'ble Maulvi Abul Kasem said :—

"I also accept it and I am sure it will meet with the approval of those for whom we are speaking to-day."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, we beg to offer our thanks for the kind consideration that has been shown to us."

The motion was then put and agreed to.

Babu Surendra Nath Ray.

The following resolution which stood in the name of the Hon'ble Maulvi A. K. Fazl-ul-Haq was deemed to be withdrawn :—

This Council recommends to the Governor in Council that suitable provision for the teaching of Arabic and Persian be made in all colleges and schools in Bengal.

LIST OF BUSINESS—ITEM No. 14.

The Hon'ble Babu Surendra Nath Ray moved the following Resolution :—

This Council recommends to the Governor in Council that the question of improving the status and condition of the Dacca School of Engineering be taken up at an early date.

He said :—

My Lord, the members of this Council are probably aware that the Dacca University Commission Report expressed strongly in favour of incorporating a College of Civil Engineering in the Dacca University. It was at one time contemplated by Government practically to knock down on the head the present Sibpur Engineering College and replace it by an Overseer Class, whereas Dacca was to have a residential well-equipped college for Civil Engineers. I moved a resolution in your Lordship's Council on the 28th February 1914 asking your Lordship's Government to drop the proposal for the abolition of the Sibpur Engineering College. Government did not then give any assurance as regards the retention of the Sibpur Engineering College, but intimated that the question would be considered after the publication of the report of the Public Services Commission. We have, however, now an assurance from the Government that the Sibpur Engineering College will not be abolished nor will its usefulness be curtailed. While opposed to the interference of Government with the usefulness of the Sibpur Engineering College I have never been opposed to have a good Civil Engineering College at Dacca as part of the Dacca University. But after the Report of the Calcutta University Commission I do not think I should be justified in asking for a full-fledged Engineering College at Dacca. But I think the present School of Engineering at Dacca may be made useful in various other ways. It is very doubtful whether during the period of post-war reconstruction in Europe, there will be a supply of Engineers from England to this country, except of a very indifferent type who, having failed to receive employment there, will try to secure employment in this country. We must therefore have an adequate supply of our own in order that we may take the fullest advantage of the opportunities for industrial development which are likely to present themselves in this country.

That the Engineering classes of the School of Engineering at Dacca are popular and that there is not sufficient accommodation for those who want to get admission is quite evident. It is only the other day that the Hon'ble the Maharajadhiraja Bahadur of Burdwan was pleased to allow 10 additional boys to be admitted in the Sub-Overseer class and 10 additional boys in the Overseer class and I think he has also directed two additional teachers to be appointed. At present in the Dacca Engineering School boys are taught up to the Overseer or Upper Subordinate class.

In these days when the industrial development is the most important question before the country I think greater attention ought to be paid to the technical studies than to the studies of Arts course and, as a matter of fact, people have come to recognise the utility of such studies. They want to enter the technical department, but they find that they cannot qualify themselves properly for want of proper places of study and training. I ask your Lordship's Government to make the school as it is more satisfactory and to

Babu Surendra Nath Ray.

increase its utility so far as possible. I would suggest that there should be a revision of the scheme of technical education, and progressive and continuous course of study should be provided from the first year B class to the Final Overseer class. The Survey courses at Mainamati and at other places should be of the same kind. The Mainamati School staff is of inferior quality. There ought to be better qualified teachers in Dacca as there will not be a full-fledged Civil Engineering College at Dacca at least for the present. Steps may be taken from now for the development of the present School of Engineering. The present arbitrary limit to the admission of boys ought to be done away with.

In Dacca, in the new three years' course curriculum great importance has been given to theory rather than to workshop practice. A number of new subjects, *i.e.*, Sanitary Engineering, Higher Mechanics, Accounts, etc., have been added to the already heavy old four years'course and practice, and practice in four different workshops have to be done in three years. I understand the new course has got no teaching in Physical Science and Chemistry for the Sub-Overseer classes. The general principles of the above subjects are the foundations of technical and industrial education. I am informed that practical survey teaching suffers a great deal as the students are sent in batches for want of accommodation in camp. The number of teachers for teaching theoretical subjects are inadequate. There is also not sufficient accommodation for class rooms even for the Overseer and Sub-Overseer departments, not to speak of the new Survey class.

The want of pioneering and demonstration sections for converting raw material to useful articles of commerce and a suitable course of study and training in the higher technical institutions of the country are the main causes contributing to the failure of industrial development of the country. Industry cannot thrive till the workers are thoroughly trained in demonstration shops just after their full course of education in a technical institution. I think as much practical training as is possible in a School of Engineering ought to be imparted in the Dacca School of Engineering. Considering the importance of the big workshop of the Dacca School of Engineering, it should be put under a highly qualified Foreman Instructor who knows the working and management of a concern like this and whose teaching may be of real help to the students who want to devote their time and energy for the development of the industries of the country.

From the curriculum of study in the Dacca School of Engineering I now pass on to another subject connected with the school. I mean the pay and prospects of the teachers and the administration of the school. In the recently created Calcutta Commercial Institute, the teachers are designated as lecturers and they have a very good initial salary to start with, though they are much junior to the Engineering Institution teachers, the former teaching such subjects as Arithmetic, Geography, Book-keeping and Type-writing. I think some of the teachers of the Dacca School of Engineering possess the qualifications of any ordinary teacher in a second grade college. They are either graduates fully trained or specialists in their own line. They have been entrusted with a course of study the subject of which are much above those prescribed for the I. Sc. examination. The four Assistant Foreman Instructors deserve better emoluments and ought to be accommodated in the school itself.

I think there ought to be a separate Principal for the Dacca School of Engineering. The present Principal is a general department man and cannot possibly understand the nature and wants of a technical school. The Dacca School of Engineering ought to have a governing body to control the inter[illegible] affairs of the school. These are some of my suggestions.

Maharajadhiraja Bahadur of Burdwan.

I was quite delighted to see the Dacca School of Engineering this morning. Nearly 200 boys were working in the different workshops. Those who in season and out of season take a delight in stating that the Bengali boys of the *bhadralok* class were unfit for manual labour or that they think it beneath their dignity to do so and are therefore unfit to be admitted in large numbers to Technical Institutes will do well to come over to the place once and see with their own eyes how zealously and assiduously these boys have taken to the practical part of their work.

One of the grievances of the students is that there is no guaranteed post for the first boy of the Overseer class of this school as there is in the Sibpur Engineering College, though the course of study is the same. This is a matter which the Government will do well to take into consideration.

I need hardly impress upon your Lordship's Government the necessity of remodelling the present School of Engineering at Dacca and of placing it on a better footing.

We are fully alive to the steps already initiated by the Hon'ble Maharajadhiraja Bahadur of Burdwan in this direction, and the country is grateful for the same. The number of students who are coming out from our schools every year is increasing by leaps and bounds. They cannot all expect to take to law. Nor can they all expect to take to medicine. It is therefore necessary that they should take to other professions. A properly equipped Civil Engineering School at Dacca means in addition to the impartation of knowledge of engineering, laying the foundation of industrial development of the country of giving an impetus to the home industries for which Eastern Bengal is a congenial place to thrive."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, the resolution before us to-day has been worded in somewhat indefinite phraseology and I may say that it is wide and does not really say exactly what the line of improvement the Hon'ble Mover has in view, but in his speech he has given us indication as to the kind of improvement which he has in view with regard to the Dacca School of Engineering. I may say at once that I have been taking a certain amount of interest in the School of Engineering, since I came to Dacca; and I am fully convinced that the Government should improve the institution so far as it may be possible to do so. On the other hand I am glad that the Hon'ble Babu Surendra Nath Ray realises that Dacca, placed as it is, cannot for the present at any rate expect to have a fully-equipped engineering college, and anyone who goes through that portion of the Calcutta University Commission's Report which deals with the University at Dacca must come across the fact that the Commission itself has considered this matter about an engineering college for Dacca and has come to the conclusion that there are certain obvious reasons against its establishment in the near future at any rate.

I now turn to the Dacca School of Engineering. I think when I briefly state and indicate what action Government have already taken to make the school a more efficient and complete school of engineering, and what proposals I have already sanctioned on behalf of Government or are about to sanction that I shall have met the Hon'ble Member's intentions to such an extent that it will not make it necessary for him to press the resolution which he has moved to-day. In the first place now that the Calcutta University Commission Report is out we have got to consider the Dacca University scheme as soon as the Government of India introduce a Bill with regard to the establishment of that University. I have gone into the question of the future site of the school of engineering. Two local gentlemen very kindly gave me exhaustive notes against

the site proposed by the Government as well as discussed by the University Commission in their report, namely, the old Secretariat Press of the late Eastern Bengal and Assam Government. I am mentioning these facts to-day because these two gentlemen would no doubt like to know what the Government think of the site that they had in view. I was to have gone to see the place, but unfortunately I got an attack of influenza and, as Major Gourlay came and told me that there were 140 cases of influenza in the vicinity, I thought it best to stay away. Mr. Goode has been to see the place on behalf of Government and also Mr. Dunn, and both of them have reported against the place as being most unsuitable for the engineering school. therefore at present the Government's proposal is to transfer the school to the commodious building which is known as the old Secretariat Press. I have myself seen the building, and I consider that we can adapt it for the engineering school. I may here point out that the University Commission considered the building to be too substantial and magnificient for the purpose ; I am afraid I do not agree with them on the point. But this point need not be discussed as the University Commission themselves eventually thought that this was the place where the school of engineering could be removed to. What is important is that this large and growing school should be well-housed, and as this fine building is lying vacant for some years now, I can personally perceive no better use to which it can be put than that of accommodating the Dacca School of Engineering. There are, however, several other matters in connection with the school which will perhaps interest the Hon'ble Mover of this resolution more. A very sound proposal was made some time ago by the Joint Technical Board to appoint a strong expert governing body and to assist the present Headmaster as he is at present fully occupied with the administration of the school. The Hon'ble Mover of this resolution has also advocated that we should go into the question of the governing body. I cordially accept the suggestion which remained pending so long, and I have just passed orders for the constitution of the governing body and to bring final proposal before me regarding the powers which they will enjoy. The question of staff is a very important and urgent one, and I am satisfied that the school is at present understaffed, and I think that the pay and prospects of certain members of the staff should be improved. As the Hon'ble Mover has already made a reference I do not again mention the subject, but I have already sanctioned two additional temporary hands, and the final question of staff will be gone into as soon as the matter has been considered by the Finance Department to whom we are making a reference now. It has, moreover, been brought to my notice that the equipment of the school is in some respects deficient, and that the instruments which the Headmaster of the school requires are not complete. The question of equipment is now being considered by the Director of Public Instruction, and I hope that the matter will be remedied soon.

Then again the Hon'ble Mover has mentioned the question of the Dacca School of Engineering having a Principal of its own and of the removal of the nominal subordination of the school to the Dacca College. I have directed that the Headmaster in future should be designated as the Principal, and the question of extending some of the classes will also be at the same time considered.

The Hon'ble Babu Surendra Nath Ray has among other things laid stress on the point of reviving the second-year survey class in the school. Regarding that all that I can say at present is that the Joint Technical Board have been going into the matter again, and I believe that they have come to the conclusion that the second-year survey class in the Dacca School of Engineering can be revived, keeping the survey class at Mainamati as well. If that is so, and if the proposal come up to Government, I can assure the

Hon'ble Member that the proposal will receive the closest attention, and if it is possible to revive it again, we shall do so.

Turning now to the other point that he has mentioned in connection with the admission of more students, well that is a general complaint. I have, as I have already said, been able to admit some additional students this year, and I trust that with the additional staff and with the removal of the school to a more commodious building we may next year be able to receive a considerably larger number of students, and if the number of would-be entrants justify this, we shall then be prepared to consider the question of doubling the class or duplicating the staff in consequence. But beyond that I cannot promise. I think the Hon'ble Mover of this resolution will see that some of the questions that he wanted to press before the Government have already been taken up by the Government, and therefore there is no necessity for him to press the resolution at this stage."

The Hon'ble Babu Surendra Nath Ray said :—

"After hearing the Member in charge I do not think I should be justified in pressing the resolution. It appears that, in fact, all my recommendations are now before Government and some of them have already been carried out. First, as regards the governing body the Maharajadhiraja Bahadur accepts my recommendations ; as regards the staff he thinks that their pay and prospects ought to be improved ; as regards the equipment of the school he says that it is now being considered by the Director of Public Instruction ; as regards the Principal, my suggestion is that the Principal ought to be a different man to the Principal of the local college ; that proposal also he is prepared to accept. Then as regards the second-year survey class, it can be revived, and as regards the admission of more students he is quite justified in saying that with additional staff and additional accommodation in the new Secretariat Press Building the question will be favourably considered. So in these circumstances I do not think I would be justified in pressing the resolution, and I beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 15.

The Hon'ble Maulvi A. K. Fazl-ul-Haq was to have moved the following resolution :—

This Council recommends to the Governor in Council that a Committee be appointed to inquire into the circumstances connected with the abolition of the Electrical and Mechanical classes in connection with the Dacca School of Engineering.

He said :—

"My Lord, I understand that the question of the improvement of the condition of the Dacca School of Engineering is under consideration, and in that case let me hope that the question of the abolition of the mechanical and electrical classes will also be taken up. In these circumstances I do not think I should press my proposal for the appointment of a committee and with the permission of the President I beg to withdraw the resolution."

The motion was then, by leave of the President, withdrawn.

Rai Radha Charan Pal Bahadur; Babu Akhil Chandra Datta.

LIST OF BUSINESS—ITEM No. 16.

The following resolution stood in the name of the **Hon'ble Rai Radha Charan Pal Bahadur**:—

This Council recommends to the Governor in Council that out of the educational grants provided in the current year's budget, a sum of Rs. 50,000 be granted to the promoters of the proposed Howrah College for the purpose of building the college.

The Hon'ble Member being absent, the resolution was not moved.

LIST OF BUSINESS—ITEM No. 17.

The Hon'ble Babu Akhil Chandra Datta moved the following resolution :—

This Council recommends to the Governor in Council that the Government of India be moved to sanction a special monthly war allowance for six months to all Government servants in Bengal drawing not more than Rs. 100 a month at the rate of 10 per cent. of their respective salaries.

He said :—

"My Lord, the principle underlying this resolution is not a matter of controversy. As a matter of fact the principle has been recognised in the Government resolution of the 12th June 1919, and with the object of affording some measure of relief to all Government servants, certain concessions have already been made to these ill-paid ministerial officers, so I need not take up the time of the Council in labouring the principle. All that this resolution seeks to recommend is this: that by the concession made by the resolution of the 12th June relief has been granted to this extent, namely, ranging from Re. 1 to Rs. 2-8. I have taken the liberty of recommending that the concession should be a little larger so as to make the relief really appreciable. What has been given is this. Rupee 1 in these days can purchase only 4 seers of rice. Taking an average family to consist of 5 members really what has been given means less than a seer of rice a month, and in the case of the maximum concession, namely, those who get over Rs. 40 and not over Rs. 50, in their case the monthly concession has been given at Rs. 2-8. According to the calculation that I have made it is something like 2 seers per head. I leave it to Your Excellency to consider whether that is a relief which is at all appreciable. Of course this is a case between masters and servants. These low-paid officers are the servants of Government and the whole question is whether they deserve consideration at the hands of the Government in a critical time like this. Some concession has already been made, and according to my calculation the rate comes to something like 5 per cent. in all these cases. I have ventured to demand 10 per cent. on behalf of these unfortunate officers. I should think, my Lord, my demand is rather meagre, but having regard to the difficulty which Government are bound to experience in meeting this extra cost, I have thought fit not to make a larger claim.

There is only one other matter which this resolution seeks to recommend. It is somewhat different from the concession already granted. In that resolution concession has been granted to those who draw below Rs. 50. Now, my Lord, even those ministerial officers who draw Rs. 100 are hard hit by the prevailing high prices, and living in the midst of these people we know what these men are really suffering. Your Lordship will excuse me if I submit that it is rather difficult for members of the Government to be able to realise the amount of their sufferings. I am inclined to think that if the Government

Sir Henry Wheeler.

really knew the true extent of their sufferings, possibly Government might have been induced to make the concession a little larger. There is one other matter to which I would like to invite Your Excellency's attention, and it is this that in the resolution of the 12th June concession has been made to those whose pay is over Rs. 12; there is a large class of people whose pay is less than Rs. 12. I do not know the principle upon which these people have been excluded, probably because they were in the enjoyment of some grain compensation allowance. If not, their case should be considered also. This morning a Bill was introduced for the prevention of cruelty to animals, and I should think that if this concession were not granted it would be an act of cruelty as well. With these observations I press this resolution for the consideration of the Council."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this resolution is the first of three of a somewhat kindred type, in so far as they all deal with the pay of the ministerial officers of Government, though this one is of a more specific character than the other two in recommending the grant of relief with reference to existing post-war conditions. But the economic conditions which have brought about this resolution have equally brought about the other two, and so far as I now make any remarks of a general character, they will be equally applicable to the two other resolutions which follow.

The resolution which the Hon'ble Babu Akhil Chandra Datta has just moved is very like a resolution that was moved last August by the Hon'ble Maulvi Faz-ul-Haq, which differed only in that it did not make a specific recommendation of a 10 per cent. enhancement. I then opposed that resolution, partly, it is true, on the ground that at that time food prices were fortunately not high. Again in March last, the Hon'ble Rai Mahendra Chandra Mitra Bahadur, in connection with the financial statement, moved a very similar resolution in Calcutta, and in connection with that I promised to consider it to the extent of giving relief to men drawing Rs. 30 and under. In answering those two resolutions, I stated the facts to the best of my ability, and I am afraid, therefore, that I have nothing very new to say on this occasion.

Of the economic facts we are, of course, only too painfully aware; whatever salary we are in receipt of, whatever position we occupy, this enhancement of prices is brought home to us in every purchase we make, and Government fully sympathises with the hardship which is being caused thereby to its more lowly paid servants. Cultivators have, to a certain extent, compensations, for with the prevailing high prices the agriculturist gets better prices for his produce, as for instance, he does at the moment for his jute. But these compensations are not open to the Government clerk, and we cannot but sympathise with his position and appreciate the loyalty with which he has continued to do his work for Gevernment despite the adverse circumstances which surround him. But there are facts what we cannot forget. I have been told before that I offer but poor comfort in pointing out that the whole world is suffering from this hardship of high prices, yet although it may be only cold comfort it is essential to remember that the whole world is a victim of the misfortunes that have come upon us on account of the war. It is perfectly impossible for this Government, with the best intentions in the world, to save their servants from the effects which are common over so wide an area. We can sympathise but we cannot entirely save. Our sympathy, moreover, has not only been lip sympathy; we have tried to do something for the more lowly paid, and that little we have done. The Hon'ble Babu Akhil Chandra Datta may call it wholly indequate, but what we have done has involved us in a very considerable expenditure.

Babu Akhil Chandra Datta.

Our first action was directed towards the relief of menials, and I explained its character in this Council room last August. I think the Hon'ble Member must be under some misapprehension in saying that we have done nothing for those drawing under Rs. 12; we raised the pay of all menials according to a revised classification of districts to Rs. 10, 9 and 8, and we gave an extra rupee to those drawing less than Rs. 12. That was what we first did, and that has cost us some 4 lakhs of rupees. As a result of the August discussion, I only promised in Council that we would try to do something up to Rs. 30; when we came to look into the matter further we thought that there was a case possibly for doing a little more, and we gave relief up to Rs. 50. That cost us Rs. 3½ lakhs, so, therefore, we have, at least, in recognition of the consequences of the war, incurred an expenditure of 7½ lakhs, and our difficulty in going further is simply one of practical finance. If we were to concede this resolution, we estimate, on a rough calculation, that enhancing the pay of those under Rs. 50, *i.e.*, in raising it from 6 per cent. at which, approximately, it is now, to 10 per cent., would cost us Rs. 1½ lakhs, and giving 10 per cent. to those between 50 and 100 would cost us another 4 lakhs; so in addition to the expenditure of 7½ lakhs, this resolution, when we put it in figures, is a practical request that we should disburse another 5½ lakhs.

We feel that we are not justified in accepting that expenditure at the present moment. I have previously said in this Council, and have drawn the attention of Hon'ble Members to the fact, that our financial position under the Reform Scheme is not going to be a very advantageous one; since I last spoke on that topic we have made a more detailed examination of the figures, and the position has come out rather worse, I might say considerably worse, than what we anticipated. We have now got to discuss that question with the Government of India, and until we discuss it with them we really are very much in the dark as to what our future financial resources are going to be. Unless we receive a full recognition of our claims from the Government of India, our position will be one of some difficulty. A second objection is that these are not the only claims upon us. We see how these matters grow up; we give relief up to 6 per cent., and a few months later we are asked to go up to 10 per cent.; we give relief up to men on Rs. 50 and we are next pressed to go up to Rs. 100; while resolutions are constant in this Council asking us to do something for the sub-deputy collectors on Rs. 100, for the munsifs on Rs. 200, and so on. A matter to which attention has been prominently drawn in the recently published report of the University Commission is the inadequate pay of teachers, and any one can see that within the next few years their claims are going to be very forcibly represented. We are also faced with the possibility of having to raise the pay of the lower ranks of the police, and as regards constables especially recruitment may be affected by recent improvements in the pay of sepoys. Again, although we have given menials relief to the extent of Rs. 4 lakhs, the full scheme, if carried out, will cost us about Rs. 17 lakhs, and I could give other instances of a like type. These are all practical reasons which tend to staunch the flow of our sympathy, and we do not feel that we can, as a matter of fact, go much further than we have. On these grounds, I am afraid that I cannot accept the resolution."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, this is not a matter upon which there can be any argument. As regards the arguments based on the fact that there are munsifs and sub-judges, and so on, I should like to say this—that there is a remarkable difference between the case of those who are given only a living wage and those officers in whose case there is some margin. The ministerial officers receive a pay which does not allow any margin. That is the difference, my

Lord. But if Government find that the financial position is such that it is impossible to make further concession, then, of course, I do not think I can press my resolution. I leave the matter to Your Excellency's Government."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 18.

The President said :—

"Items 18 and 19 raise substantially the same question and it will be convenient if they are both discussed together. I shall, however, be prepared to put them to the vote separately from the chair."

The Hon'ble Babu Akhil Chandra Datta moved the following resolution :—

This Council recommends to the Governor in Council that the Government of India be moved to raise the initial pay of the ministerial officers in all Government offices in Bengal to Rs. 40 per month.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, the present scale was fixed in Western Bengal in 1906, I believe, and in Eastern Bengal so far as my recollection goes in 1911 or thereabout. Now the question is that the initial pay of Rs. 30 was fixed on the principle that it was adequate to furnish the employés with reasonable incentive to work honestly and conscientiously, but that amount was fixed because that was considered to be the lowest living wage for a man of the middle class. I take the liberty to read this passage from the report of the Ministerial Officers' Committee of Eastern Bengal and Assam of 1908-09 :—

'From these figures it is apparent that the prospects of an officer attaining, under present rules, a pay of Rs. 50 or over in the course of his service are remote, that to many a pay of less than Rs. 40 a month must be the ultimate goal of their ambition and that a great part of the official life of the majority will be spent in posts in which they will draw less than Rs. 30. The decision of the question whether on the whole the pay is adequate therefore depends to a considerable degree on the answer to the question whether a pay of less than Rs. 30 is such as will enable a man of the amla class to live in ordinary comfort and meet the reasonable expenses of men of the same class. To this question we have sought an answer from many sources, and the replies we have received lead us to the conclusion that there is no room for doubt that Rs. 30 a month is the very lowest sum which can be held to be a living wage for men of the amla class even at the beginning of their service. The facts and figures given in chapter X of the report of the Salaries Commission shows that even in 1885 Rs. 30 a month was as little as a man of the amla class could live on with comfort. In the twenty years which have passed since that report was drafted the cost of living has undoubtedly increased, and it is only on the most parsimonious scale that Rs. 30 will now suffice even for a man with a very small family.'

That was the principle, my Lord, underlying the scale that was fixed in 1908-09, because that was considered to be the lowest living wage without any reference to the question as to whether that pay could furnish a reasonable incentive to work honestly and conscientiously. Now, my Lord, if Rs. 30 was the lowest living wage even in 1885 and if Rs. 30 was considered to be parsimonious in 1905, then the question arises what

Babu Akhil Chandra Datta.

is the present position in view of the fact that the prices of all articles, of all necessaries and of all essentials have risen very abnormally. Now there are two estimates given about the reasonable expenses—bare necessaries of life. These two estimates were given to the Ministerial Officers' Committee sur two gentlemen of Dacca, namely, Khan Bahadur Khwaja Muhammad ende and Rai Kali Prasanna Ghosh Bahadur. It will appear from these two Govern s that according to the estimate of the Khan Bahadur Rs. 35 was the Governn expenses necessary for the ministerial officers: they could not do just as we nd according to the other estimate—I mean the estimate of Rai in the pay anna Ghosh Bahadur—it was Rs. 30. Now if one goes through amount items of these estimates it will be perfectly clear that prices have increased at least doubly in each one of these items. So that according to that calculation the lowest living wage should be held now to be Rs. 70 according to one estimate and Rs. 60 according to the other estimate. That is also borne out by the figures which were furnished by Your Excellency's Government in answer to a question of mine at the meeting of 3rd July last. From that statement it appears that the prices of necessaries of life have increased very very considerably—in some cases double, in some cases a little less than double, and so on. Therefore it is a very serious question as to what the initial pay of these officers should be. Your Excellency may well realise the inevitable results of inadequate pay. Without describing that in my own words I shall place before the Council a graphic description given by the Ministerial Officers' Committee in 1908 about the inevitable result of such an inadequate pay. In paragraph 28 of the report it is stated :—

'From the low pay, the method of recruitment and want of training flow general inefficiency and—what is by far the most serious defect—the canker of corruption which has eaten so deeply into the ministerial staff. As the figures in paragraph 22 show, 57 per cent. of the staff must either depend in part on private means for their existence or must subsist by dishonesty, and if we count in the apprentices, the percentage rises to 64. Of the ivate means amla and apprentices as a class are not possessed to any con- the lerable extent. Mutual help, when there is a family party in the office, hav keep some on low pay or no pay from the path of dishonesty; but the muf mittee feel it is no exaggeration to say that fully one-half of the low- ture officers and of the apprentices live on what they, by illicit methods, felt ct from the public. The methods resorted to are many. As in 1885, their ow, information is sold to the public which either it is in the interest office Government to keep secret or which can only be obtained legitimately Indian yment of fees—delay is caused or procedure is expedited in return for a claims le douceur—processes are issued or not issued, served or not served, to of Dep he convenience of the man who bribes the highest, papers disappear before appear mysteriously, and in extreme cases, when the cash equivalent is forthcoming, records are tampered with, at times, in the most ingenious and, at times, in the most barefaced manner. The records of all or nearly all districts afford abundant instances in which dishonest dealings on the part of the office employés have been detected. But detection in such matters is a mere accident since it is neither in the interest of the briber or the bribed to disclose the transaction and the fellow officers of the bribed who mostly "live in glass houses" even if they know of the transaction will not disclose it unless impelled to do so by enmity. It is of course not the men on low pay only who take bribes. A habit once acquired is not easy to shake off and the officer who was driven by necessity to take bribes while his pay was low finds the habit cling to him and even if he, when he has a living wage, desire to be honest he must often find that he cannot free himself from the mesh of the professional briber.'

Then, my Lord, the question discussed there is what is the remedy of this state of things. The recommendation of the Committee on the question is given in paragraph 30—

Maulvi Abul Kasem.

'First and foremost it is clearly essential that to every clerk who employed in any capacity a living wage should be assured. This alone will not eradicate corruption; but at least it will reduce to a temptation, wh can be resisted, what is now an imperious necessity, and will make possible for all clerks to begin and run their official course without r to dishonesty. To effect this it is in the first place necessary to rai initial pay to Rs. 30.'

Under these circumstances the initial pay was raised t 1908-09.

"Now the question arises as to what is the lowest living wage now. T is a problem which Government ought to slove undeterred by the conside tion that it is a question of great financial responsibility. It is true that t little concessions that have been granted to the menials have involv Government in a very large expenditure of about 7½ lakhs. but none the l that is a problem which must be solved. If Government do not do anythi for these ill-paid clerks then they will eke out their existence by means corruption. They must live and they must have their food to keep th body and soul together. Of course there is the question of luxuries, but tl is a different matter. When the lowest living wage is very much mo than Rs. 30, then the question arises how will they meet their wants. I have already submitted they must live whether Government increase th pay or not. If the pay is not increased, they will have no other alternati left but to take to corruption. Now what is corruption, my Lord? It or means that they will have their money from the rate-payors at large r honestly but dishonestly by the back door. So if the whole question analysed and critically examined it makes no difference whether that mon makes its way into their pocket in the shape of bribe or in the shape increased pay—I mean so far as the rate-payers of the country are concern it makes no difference. So even according to that calculation it is high tim my Lord, that the whole question should be discussed and inquired int What I wish is nothing more than that. I must admit that I have made specific recommendation, because if I am to move a resolution like this must make a specific recommendation. I do not pretend to say that recommendation that I have made is very precise or exactly what it ough be. That is a matter which must be left to Government and it is no me to submit, but in any case, it is high time that the question as to should be the lowest living wage, according to the present prices of th should be considered, and after coming to a decision on this point the lo living wage should be given to them by way of increment.

With these observations I beg to commend this resolution fo acceptance of the Council."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I rise to speak on this resolution. As has been observe by Your Excellency it is substantially the same as the one which stands i my name in general form. The question of the pay and prospects of minis terial officers should be in my humble opinion considered by Governmen without any further delay. I am not one of those who believe that simpl by raising the pay of the ministerial officers corruption in the public court and court offices will disappear like magic. They will not be able to d away with the habit which has a tradition of centuries behind it, but it i hoped that if they get living wages as has been remarked by my frien opposite, and if they are not driven to corruption. they will be more carefu and it may gradually in the long run disappear. They will not, as they d now, venture boldly and openly to carry out corruption without any chec because the only people who can bring about a check is the public at large

and the public will hesitate to bring it to the notice of the authorities because they know that these poor clerks do not get a living wage. My Lord, I am sure we will have the sympathy of Your Excellency's Government in our endeavour to better the unfortunate conditions of the ministerial officers of Government, and I am afraid we will be told that the financial position of Government does not admit of taking a large step at the present moment, just as we have been by Sir Henry Wheeler, and that any substantial increase in the pay of ministerial officers will also involve the expenditure of a large amount of money. So far as we can see our financial condition is not very good and we have found it difficult to meet several of our pressing demands, but we know that whenever Government want to have something done they get the money for it, and they have it done without any very great difficulties. The present high prices have affected all classes of people, not only the poor men but the men in affluence as well. The pinch is felt all over the ladder, but everyone will agree with me when I say that the lowest rung of the ladder feels more keenly than the highest. Government have been more than considerate in considering the question of pay and allowances and the prospects of the various Imperial services, for instance, Medical, Civil, Police, Forest, etc., and money has been found for the improvement of the pay of these highly paid officers. We do not grudge them this improvement, but we think that other unfortunate servants of the State who do more or less hard and responsible work should receive some consideration at the hands of their employers. My Lord, I think it is not necessary in order to make out a good case in favour of these ministerial officers to place all the facts before the Council because Government are fully aware of these facts, and I know, my Lord, that some orders have been passed granting small allowances to lowly paid officers. The Hon'ble Sir Henry Wheeler has observed that most of the lowly paid clerks have received some allowance, but I beg to submit that it is neither adequate nor sufficient and has left the matter practically where it was. I think for the efficiency and purity of these officers it is absolutely necessary that immediate steps should be taken to improve the pay and prospects of these ministerial officers. In the resolution of which I have given notice I have specifically confined myself to ministerial officers of Government in the mufassal, because my experience is limited to mufassal offices only. I venture to say that those in Calcutta offices somehow or other make their position felt on the Councils of Government, and they have opportunities of pressing their claims on the Members of Government which the poor ministerial officers in the mufassal have not, just as in the case of the members of the Indian Civil Service who have influential friends at Home who press their claims before the Secretary of State and the House of Commons. The Heads of Departments who are in Calcutta press the claims of their subordinates before Government and sometimes they get a higher rate of pay sanctioned for their ministerial officers. But the ministerial officers in the mufassal cannot put forward their claims through their heads of offices before Government as the conditions in one district are the same as those in other districts and unless all the district officers come forward with a particular proposal, it can receive no consideration. It is not likely that for the sake of the ministerial officers all the district magistrates and district judges are going to hold a conference and bring forward a recommendation. I think the ministerial officers in the mufassal have been so long neglected that it is now high time that their claims should be pressed before Government. My Lord, even the clerks, not the head clerks or head assistants, but ordinary clerks, in the office of the Commissioner of Police get Rs. 200 to Rs. 300 a month and they have been given increments, whilst the sharistadars in district offices, who, in my humble opinion, have far more responsible work to do than the clerks in the office of the Commissioner of Police, draw only Rs. 125 to Rs. 150. I think that the time has come when this question should engage the attention of Your Excellency's Council, and I hope and trust that the decision which Your Excellency's Government will come to will be favourable to these lowly paid clerks."

Sir Henry Wheeler.

The Hon'ble Sir Henry Wheeler said :—

Sir, it must be obvious from what I have recently said what action Government is likely to take in connection with these two resolutions. If we cannot see our way to give temporary relief to a restricted number in respect of special conditions, we cannot equally see our way to give relief to a larger number and on a more permanent basis. I have already asked the Council to consider my previous general remarks in reference to these two resolutions, and there is little more that I wish to say. However there are one or two points particularly apposite to these two resolutions, and it may be convenient to mention first the second resolution—that moved by the Hon'ble Maulvi Abul Kasem—as that has the wider scope of the two. This resolution makes the general proposal that steps be taken to improve the pay and prospects of all ministerial officers in the mufassal, and in opposing it I do not want our attitude to be open to misconception. We are constantly taking steps to improve the position of our ministerial officers. Hardly a day passes in the Financial Department that some cases of this kind do not come up. In this year's budget, we have made provision to improve the pay of the registration clerks who, as everybody recognises, were inadequately remunerated. As another example, it was only a few days ago that I approved a scheme for the improvement of the pay of the clerks in civil surgeon's offices in the mufassal, and we have a proposal before us for improving the pay and prospects of the lower division clerks in the Secretariat. These are some instances of cases that are constantly coming before us, some of which go through and some are rejected according to the estimation we form of their merits. But I take it that this resolution really suggests that we should open an enquiry of a general character. Revisions following an enquiry of a general character were made in Eastern Bengal in 1911, and in Western Bengal in 1906, and practically what we object to in opposing this resolution, is that we should, at this juncture, undertake a general investigation which, as we know by experience, always involves a very large bill. We demur to undertaking that now, for the reasons which I have already given, and in particular the present time could not be more unfortunately chosen for an examination of this kind. Conditions are abnormal now, but we hope, whether or not prices ever fall to the pre-war level, that at any rate they will fall to an appreciable extent. Should we therefore set on foot an investigation of this character now that everybody is obsessed and oppressed by these high prices, we should be in great danger of fixing normal rates on abnormal conditions. That, to my mind, whatever we may have to do in future, is a conclusive reason for deferring now any investigation of the kind which is proposed to be set on foot.

Coming to the resolution of the Hon'ble Babu Akhil Chandra Datta which deals merely with the initial pay of ministerial officers, and proposes that it should be raised to Rs. 40, the arguments of the Hon'ble Mover do not really amount to more than this : that recent economic developments have caused hardship. That, as I have already said, we fully admit. The position as regards the initial pay of the ministerial officers is briefly and roughly this : It is Rs. 25 in Western Bengal and Rs. 30 in Eastern Bengal : in Calcutta it is Rs. 40 in the Secretariat, and Rs. 30 in the offices of Heads of Departments. The question of adopting Rs. 30 as the minimum pay in both Western and Eastern Bengal has been under discussion for some time, and at this moment is merely awaiting the examination of a few remaining figures ; we expect to put this small concession through with as little further delay as as possible—that is to say, we are going to raise the initial pay in the Western Bengal districts from Rs. 25 to Rs. 30. A proposal to which I have just alluded relative to the lower division of the Secretariat also contemplates enhancing the initial pay from Rs. 40 to Rs. 50 ; and I very much fear—in the way these matters act and re-act upon one another—that it will have an effect even outside the Secretariat. So in that way certain things have been done, and certain things have been forced upon us, but for the reasons which

Babu Akhil Chandra Datta, Maulvi Abul Kasem, Maulvi A. K. Fazul-ul-Haq.

I have just given, I would deprecate any general and sweeping investigation, or the raising of pay wholesale with one stroke of the pen from one rate to another. Action of that kind very often entails quite unexpected consequences. Obviously if we are to put up the *mufassal* rate to Rs 40, we will be told that the Secretariat rate of Rs 50 is quite inadequate, and so on. Therefore while we will try to consider individual cases that may come up before us from time to time as sympathetically as we can, we demur to any general investigations or enhancements of the kind contemplated by these two resolutions.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, I have nothing more to add, but I would press this resolution."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 19.

The following motion which stoods in the name of the **Hon'ble Maulvi Abul Kasem** was then put and lost.

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of ministerial officers of the Government of Bengal in the mufassal.

LIST OF BUSINESS—ITEM No. 20.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that suitable instructions be issued to the officers concerned to ensure the selection of properly qualified persons to serve as jurors in the mufassal.

He said :—

"The recommendation contained in this resolution is of some importance in view of the fact that the system of trial by jury has now been extended to all the districts of the Presidency excepting of course Jalpaiguri and Darjeeling. In those districts, where the system of trial with the aid of assessors were in vogue, it did not very much matter if the assessors had not been very carefully selected because after all the opinion of the assessors was not at all binding on the Judge. But matters are different so far as jurors are concerned ; and having regard to the finality which attaches to their verdict, it is of the utmost importance that care should be taken in selecting persons to serve as jurors. I do not wish to enter into the details of the arguments in support of my resolution, because I have reason to believe that the recommendation will commend itself to Your Excellency's Government."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I accept the resolution on behalf of the Government. The object underlying it, namely, to ensure the selection of properly qualified persons to serve as jurors in the mufassal is one with which Government are in entire sympathy. But in this connection I should like to point out to the

Maharajadhiraja Bahadur of Burdwan ; *Akhil Chandra Datta* ; *The President; Maulvi A. K. Fazl-ul-Haq.*

Hon'ble Mover that Government are already aware of the danger. What we propose to do is to draw the attention of the Sessions Judges of other districts as well to the circular on the subject and take such further steps as may be found necessary. Therefore we are willing to accept the resolution."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 21.

The Hon'ble Babu Akhil Chandra Datta was to have moved the following resolution :—

This Council recommends to the Governor in Council to take such action as may be necessary to drop the proposal of making English the Court language in subordinate Courts in Bengal.

He said :—

"My Lord, I understand from the Hon'ble Member in Charge that a communication has been received from the Hon'ble High Court saying that this proposal of making English the Court language has been dropped, and in view of this fact it is not necessary for me to move this resolution. I shall only say this : The news will be received by the country with a great sigh of relief : there was such a volume of feeling in this matter."

The President said :—

"Does the Hon'ble Member wish to withdraw the resolution ?"

The Hon'ble Babu Akhil Chandra Datta said :—

"Yes, my Lord."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 22.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that suitable instructions be issued to Magistrates in Bengal in regard to the trial of cases under section 110 of the Code of Criminal Procedure (Act V of 1898), particularly with a view to giving facilities to the accused persons—

(*a*) to defend themselves properly ; and

(*b*) to offer sureties for good behaviour after final orders have been passed.

He said :—

"My Lord, it may seem somewhat surprising to Hon'ble Members that I have been led to bring forward a discussion of this character in this Council. Ordinarily it is an accepted maxim that judicial independence of Magistrates should not be interfered with, and it may seem that circular

orders of instructions from Government might be interpreted to be an indirect if not a direct interference with their judicial independence. But I will briefly explain the objects which I have in view, and I hope it will be apparent to Hon'ble Members that the grievances of such a serious character, as I am going to describe, ought, in my opinion, to be remedied.

The first part of the resolution refers to the defence of persons under section 110 of the Code of Criminal Procedure, or, as is popularly known, the section relating to the giving of security for good behaviour in the case of the suspected person. The first difficulty which an accused person in such a case encounters—and I am speaking from personal knowledge—is this :

That the Magistrates who are required to try these cases in the mufassal generally hold the trial practically in the thana compound. It may be that it is considered, in the interests of the accused persons themselves, that the trial should be held if not in his own village at least in the vicinity of his village or, as it is popularly called, within the locality. But things become quite different if the Magistrates hold the trial in the thana compound, because, in these circumstances, the witnesses are under the control of the Police. Secondly, it sometimes happens that as soon as proceedings are drawn up against an accused, he is immediately sent to hajat and he rarely gets an opportunity of communicating with his friends and relations. In such cases a short date is given and the trial is held several miles away from the district headquarters where the man is locked up, and the result is that he cannot engage a lawyer to defend him nor can he communicate with his friends and relatives. In such cases the man practically goes undefended. These are mainly the two difficulties which accused persons encounter under present conditions ; and I beg to suggest that, without meaning in the least to interfere with the judicial independence of the Magistrates, some sort of general instructions may be given to them so that an accused person might get facilities for properly defending himself.

The second portion of the resolution refers to the difficulties of those persons who have come forward to offer sureties for their good behaviour after final orders are passed. It so happens that as soon as a surety comes up with an application offering as surety, the case is sent on to the Police for inquiry, and by the time the Police finish their inquiry, the man necessarily remains in hajat. It sometimes happens that days and days are wasted, and ultimately the Police report practically on no reasons whatever declining to accept those persons as sureties. The Magistrate accepts such recommendations without making any inquiry. In such cases I submit that it is due to the accused persons or to the sureties who come forward that the Magistrates must make an inquiry himself instead of relying solely on the Police. These are not matters of judicial discretion, and I venture to submit that in such matters directions may be given to the Magistrates. My Lord, I do not wish to take up the time of the Council any further regarding a resolution of this character. I never meant to suggest that instructions should be given to the Magistrates regarding the way in which they weigh the evidence or record or exercise their judicial discretion, but I only wish that instructions may be given to them in order that the procedure might be modified in such a manner that the accused persons may have opportunity of defending themselves and that after orders have been passed, that they may get proper opportunities for carrying out that order. With these words, I commend this resolution to the consideration of this House.'

The Hon'ble Mr. Graham said :—

" My Lord, on behalf of Government I beg to oppose the resolution ; and I do so not from any want of sympathy with the accused who have to defend themselves in these cases, but because the issue of such instructions, as have

been proposed by the Hon'ble Mover of the resolution, appears to be superfluous and unnecessary. The recommendation made by the Hon'ble Mover is that suitable instructions should be issued to Magistrates in Bengal in regard to the trial of cases under section 110 of the Code of Criminal Procedure, particularly with a view to giving facilities to accused persons (*a*) to defend themselves properly, and (*b*) to offer sureties for good behaviour after final orders have been passed.

With regard to (*a*), the suggestion appears to be that the accused in these cases are not at present given facilities to defend themselves properly. I venture to think that there is no substance in this suggestion. As a matter of fact such facilities are provided in the Code itself. Section 117, sub-section (*2*) of the Code of Criminal Procedure, lays down that the inquiry, where the order requires security for good behaviour, shall be in the manner prescribed for conducting trials and recording evidence in warrant cases, except that no charge need be framed.

The procedure to be observed in the trial of warrant cases is given in Chapter XXI of the Code of Criminal Procedure, and it provides *inter alia* for the cross-examination of prosecution witnesses and the recording of defence evidence. It is also provided that, if the accused files a written statement, the Magistrate shall file it with the record. Furthermore, there is provision for the issue of process for compelling the production of evidence at the instance of the accused. I may mention too that, as a matter of fact, the accused in these cases are invariably defended either by a pleader or a mukhtear.

With regard to what has been said by the Hon'ble Maulvi Fazl-ul-Haq with regard to the venue of the inquiry, and his statement to the effect that such inquiries are sometimes held in Thana compounds, I may point out that it is entirely within the discretion of the Magistrate to determine where the inquiry shall be held. At the same time, it is, I imagine, rare for such an inquiry to be held in a Thana compound. With all deference to what the Hon'ble Mover has said on this point, I do not remember any case in which such an inquiry has been held in a Thana compound. From a legal point of view all that is necessary is that the proceedings shall be taken within the local limits of the jurisdiction of the Magistrate empowered, and that the person proceeded against shall reside within those limits. If, in any particular case, objection is taken by the defence to the place of inquiry, it is always open to them to move the Magistrate, and there is no reason to suppose that such an objection would not receive judicial consideration. I submit, therefore, that in view of what I have said above, it is reasonably clear that adequate facilities are provided for accused persons in these cases to defend themselves, and I do not see what further facilities can be given. In view of these provisions of the law it would seem to be unnecessary to issue any such instructions to Magistrates, nor does it seem desirable that Government should adopt a course of action which might be regarded as interfering in any way with the discretion of Courts. Facilities for defence in criminal cases are matters which are appropriately dealt with in the Code of Criminal Procedure, and it would appear to be outside the province of the executive Government to deal with them. If in any particular case the facilities, which are provided by law, are not accorded, the accused has his remedy in an appeal to the District Magistrate under section 406 of the Code of Criminal Procedure.

With regard to the second recommendation made by the Hon'ble Mover that facilities should be given to accused to offer sureties for good behaviour after final orders have been passed, it lies with the accused persons themselves and their friends to *offer* sureties, and it does not appear to be clear how Magistrates can afford facilities in the matter. It may be

mentioned that a Magistrate cannot act arbitrarily in regard to accepting, or rejecting sureties, as under section 122 of the Code of Criminal Procedure he can only refuse to accept a surety on the ground of unfitness, and if he does so he is bound to record his reasons. Here again, if the Magistrate fails to comply with the provisions of the Code, the party aggrieved has his remedy in the appellate Court.

Inasmuch therefore, as these matters are already provided for in the Code and, in any case, are not matters in relation to which the issue of instructions by the executive Government is desirable, I would ask the Council to negative the resolution.

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I admit that the cases to which I have referred are of a somewhat exceptional character, but such cases have occurred, and it appears to me that they do occur in spite of the fact that the Code of Criminal Procedure lays down elaborate provisions as to the manner in which the trial is to be held. There are certain matters within the discretion of a Magistrate where he acts more or less as an executive officer. However, a discussion of all these points will raise very controversial issues. I thought it proper to bring the matter to the notice of the Government, but, since the considered opinion of the Government is that this resolution cannot be accepted, I do not think it would be worth while to press this resolution any further. So, with your Excellency's leave, I beg to withdraw the resolution."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 23.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that immediate steps be taken to connect Barisal with Calcutta by rail.

He said :—

"This resolution is a of very simple character and it recommends that steps be taken to connect Barisal with Calcutta by rail. I brought forward this resolution for discussion in this Council about four years ago when the Hon'ble Mr. Beatson Bell (now Sir Nicholas Beatson Bell) on behalf of Government practically accepted the resolution and gave us to understand that the question of connecting Barisal with Calcutta by rail was under consideration by Government and probably would be given effect soon. Unfortunately, however, the war broke out and the question was shelved. Now with the return of peace and with better financial condition, I think the question might again be considered. With these few words, I beg to commend the resolution to the House."

The Hon'ble Mr. Cumming said :—

"My Lord, it is quite correct, as the Hon'ble Member who has moved this resolution has stated, that my predecessor in office accepted the resolution in those terms in August 1914. The Hon'ble Member is under the impression that the case still stands in the same position, and that it has not been carried

into effect for financial reasons. If the Council will bear with me for a few moments, I will explain why it is that the deliberate opinion of Government with regard to this project is that it is inexpedient. Very shortly, the proposals regarding this project in a chronological form are these. In 1911 a reconnaissance was sanctioned by the Railway Board to ascertain the best means of connecting Barisal with Khulna; two alternative routes were examined, and, three years afterwards, the Railway Board sanctioned a detailed survey not only of the proposed line from Khulna *viâ* Madaripur to Barisal but also of an additional section from Faridpur to Madaripur. This survey was completed in 1914. While these proceedings were in hand various enquiries were made in this Council, and the Hon'ble Member himself in 1913 asked a question on the subject he was informed that steps were being taken to connect Barisal and Calcutta by rail. He then asked another question in the following year 1914, and was informed that the details were well in hand. At a meeting of this Council in August 1914, to which I have referred, an Hon'ble Member submitted a resolution representing the urgency of connecting Barisal and Calcutta by rail. This, as I have said, was accepted by my predecessor; he went so far as to say that the Bengal Government accorded their cordial support to the proposal to construct a broad gauge line from Khulna to Barisal; and indeed, in the same year, the Bengal Government in submitting their annual list of railway projects included this very project amongst their recommendations. It was after that that a change in opinion has taken place. The project was examined with great care from every point of view. One expert said that the Madumati river which it was proposed to cross between Khulna and Madaripur was so unstable that it would cost crores to hold it under a bridge, and another expert held that the waterways and headways given were quite inadequate. The Bengal Government then examined the matter very carefully; and after full reconsideration advised the Railway Board under the Government of India two years afterwards, in October 1916, that the alterations and additions which were then proposed to meet the requirements would render it impossible on financial grounds to carry out the scheme, and might even result in its entire abandonment. Apart from that, the Bengal Government stated to the Railway Board, that even if all the alterations and additions were carried out and even if a satisfactory solution could be found for the crossing of the Madumati river, the Bengal Government were apprehensive that the railway would be a constant menace to the general health of the population. The Bengal Government were not able to inform the public at that time because the matter was still *sub judice;* in fact, in September 1917, when another Member asked a question in this Council he was informed that the matter was still under consideration in the Government of India in the Railway Board. A further enquiry was then made in August 1918 by a Council question, and the Council were informed that the Government of India had decided to abandon the project. In abandoning this project the Railway Board had obviously been influenced by the views of the Bengal Government, expressed in October 1916, said that while the main project might be abandoned, they, the Railway Board, were considering how they could arrange for the financing of a smaller line from Faridpur to Bhanga in the same district. The last communication received from the Railway Board is that of August 1918, when they said that they would defer the consideration of the financing of this branch line until after the end of the war. Since then we have heard nothing further on the subject. This, then, my Lord, is a statement of the discussion in connection with the project to connect Barisal and Calcutta by rail, which it is desirable to place on record. It will be seen that the Bengal Government on the basis of fuller information changed their minds on the ground of the menace to the health of the community which the construction of the project on the original alignment would entail. Indeed from the point of view of the people of Bengal themselves, the construction of railways which are likely to interfere with the natural ebb and flow of water over the land is to be deprecated. An increase of malaria is too high a price to

Mr. Cumming ; Maulvi Fazl-ul-Haq ; Maulvi Abul Kasem.

pay even for improved railway communication, and the Hon'ble Member himself must be fully aware of the complaint in Bengal that such and such a railway has done permanent harm to the tract which it covers. In this instance the main objection was that the alignment in question was at right angles to the drainage of the country.

So far, Sir, I have to disappoint the Hon'ble Member. He may well ask what is proposed to be done now. My reply is that the Bengal Government did propose an alternative scheme of connecting Calcutta with Barisal by means of an extension of the existing railway from Faridpur, and at the present moment the Bengal Government are prepared to recommend to the Railway Board that the possibility of completing this alignment should be reconsidered. In view of this, Sir, and of the fact that while one approach to Barisal from the west has been definitely condemned on engineering, financial and sanitary grounds, still an approach from the north-west is possible, I hope the Hon'ble Member may see his way not to press the resolution. Government desire to do what my predecessor accepted in 1916, viz., to connect the headquarters of the province with the headquarters of an important district like Bakarganj if it can be properly done."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, it would not be a proper recognition of what has fallen from the Hon'ble Member were I now to press this resolution. I therefore beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 24.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve communication between Calcutta and Dacca, either by accelerating the existing train and steamer services or by such other means as to the Government may appear fit and proper.

He said :—

"My Lord, the resolution which has just been withdrawn bears a family resemblance to the one which I now move. It has also an ancient history behind it, and it also wants to connect an Eastern Bengal district with Calcutta, but I hope, my Lord, that this resolution will receive a more favourable consideration at the hands of the Hon'ble Member in charge because it wants to connect the capital of Eastern Bengal with the capital of the province. In this resolution I have purposely avoided mentioning any particular scheme, because in my experience in this Council I have found that it is always safer to leave the question vague ; because whenever any particular scheme is suggested Government experts come forward with objections which it is very difficult for a layman to meet. I understand, my Lord, that for a long time a proposal has been pending before the Government about connecting the town of Dacca with Aricha in the Manikganj subdivision on the south, and if a railway is constructed connecting Dacca with Aricha and a ferry service between Aricha and Goalundo and the train service between Goalundo and Calcutta is made a little faster, I think this journey to Dacca from Calcutta can be completed in eight hours or exactly

half the time now taken to come from Calcutta to Dacca. What with the prospect of a well-equipped College in Dacca and the future prospect of a large Medical College here, it is as important that the people of Calcutta should be in close touch with Dacca as that the people of Dacca should be in close touch with the people of Calcutta, and I have been further told that this project of a railway between Dacca and Aricha has received sympathetic consideration at the hands of the Railway Board as well; but another objection has been raised that a railway on an embanked road will cause interference with the free drainage of the locality, and bring in malaria, as has been just mentioned by the Hon'ble member in charge. True it is that to a very large extent our railways are responsible for the spread of malaria in this country, and if we are to believe the historians, we learn that malaria was unknown in this country before railways were introduced. However, if the question of malaria did not interfere in the construction of the railway line from Howrah to Kalka, I do not think the small tract of land which has got many rivers and channels in it from Dacca to Calcutta will suffer much. The advantages of having more easy communication between two important centres of the Presidency will have greater weight with the public and the Government than the danger of malaria, and that can easily be avoided if we have a sufficient number of openings in the railway road for the passage of water. At the present moment there is an embanked road practically from Dacca to Aricha which does obstruct the drainage, except perhaps with the exception of 4 or 5 miles. The road is 45 miles long, about 40 miles of it is embanked road and only 5 miles is low road through which the water passes. I think if the project be taken in hand and openings made here and there, it will also protect us from malaria and at the same time afford greater facility for communication between Calcutta and Dacca which will be of mutual benefit to the people of this part of the Presidency as well as to the people of Calcutta. With these few words, I beg to commend this resolution to the consideration of the Council."

The Hon'ble Mr. Cumming said :—

"My Lord, the Hon'ble Member has made a proposal regarding the improvement of communications in this province which is of peculiar interest both to the residents of the eastern districts and of course to members of this Council who have been summoned to attend at Dacca. He has said that he has purposely framed it in an indefinite form because he is aware that definite proposals are more liable to attack. In his argument, however, he has made one practical suggestion, namely, the suggestion regarding a railway from Dacca to a point opposite Goalundo. This has been the subject of a good deal of local discussion within recent months here in Dacca and the local press is very desirous that such a project should materialise. Government, I may say at once, are prepared to accept the resolution in general terms without committing themselves, any more than the Hon'ble Member has done, to any specific project.

It goes without saying that Government are prepared to accept all reasonable improvements in communications which are both the means and the proof of material progress. There are two forms of improvement. There is improvement of the existing means of transportation, and in the second place there is the creation of new lines of transportation. As regards the existing means of transportation, I shall be prepared to send a copy of these proceedings to the carrying companies and agencies concerned both by road and water. As regards new lines of transportation there are again two possibilities, improvement entirely by land or improvement of steamer service by water. The Hon'ble Member is perhaps not aware regarding the second

possibility, namely, improvement of service by water, that Government have in contemplation an improved water route which if constructed would shorten the river journey to Dacca by one-half ; but on account of various engineering and financial considerations Government are not in a position to say if, and when, effect will be given to the scheme. If, however, this scheme does materialise, it will be of very substantial benefit to Eastern Bengal. As regards the other alternative of improvement of communication by land, this proposal of a railway from Dacca to a point opposite Goalundo has been revived, and, as I have said, there is much local opinion in favour of this particular alignment. On this point, however, I can say but little at present. This much, however, may be said :—that the soundness of this project as a financial proposition is at present under examination, and in the second place that as regards a railway alignment, the railway policy of the Government must be ultimately under the control of the Railway Board. I am afraid, however, that those who advocate the construction of this line have never seriously considered what the cost would be if adequate waterways were given ; and, as I have mentioned regarding the previous resolution, that a possible source of disease may be created if adequate waterway be not given, and secondly, those who advocate this particular project have not considered what the effect of an embankment at right angles to the line of spill of the big rivers Dhaleswari and Padma would be. I may say at once that this railway project was definitely rejected many years ago by the Railway Board, although it had then been considered for a number of years. This, as the Hon'ble Member is aware, is primarily a matter for engineering experts to determine, in view of the more recent knowledge that we have of the hydraulics of the area, namely, what scheme would be the least innocuous in point of view of public health and what in point of view of capital outlay would be the least expensive. In these circumstances, as I have already stated, Government are prepared to accept the resolution with a perfectly open mind, in view of the further inquiries which are at present being made, as to what may ultimately be a practical solution."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I have to thank the Hon'ble Member for the sympathetic reception which he has given this resolution."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 25.

The Hon'ble Maulvi A. K. Fazl-ul-Haq was to have moved the following resolution :—

This Council recommends to the Governor in Council that suitable steps be taken for a proper and effective representation of the Eastern Bengal districts on the Legislative Council to be formed under the Reform Scheme, either by proper representation to the Government of India or by such other methods as to the Government may seem fit and proper.

He said :—

"My Lord, I owe an apology to this Council for having brought forward this resolution for discussion. I gave notice of this resolution rather in a

hurry and in response to an urgent request of some of my Dacca friends who thought that Eastern Bengal districts had been somewhat neglected in the distribution of seats under the proposed Reform Scheme. At that time it was not possible for me to verify the figures because, if I waited one day I would have been out of time. I now find from an examination of the report that I cannot honestly say that the Eastern Bengal districts have been unfairly treated. As advised at present therefore, I do not think I can press this resolution. I therefore beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 26.

The following resolution stood in the name of the **Hon'ble Rai Radha Charan Pal Bahadur:—**

This Council recommends to the Governor in Council that an expert in town-planning be appointed as the Chairman of the Calcutta Improvement Trust when that office becomes vacant, in consequence of the grant of any leave to, or on the retirment of, the present incumbent

The Hon'ble Member being absent, the resolution was not moved.

LIST OF BUSINESS—ITEM No. 27.

The Hon'ble Mauvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that extensions of service be granted to officers in this Presidency in cases in which they happen to be deprived of full pension by reason of too strict an interpretation of the recent circular orders of the Secretary of State for India.

He said :—

"My Lord, we began this day's sitting by the introduction of a Bill to which reference has been made once before—I mean the Bill for the Prevention of Cruelty to Animals. I think I will be guilty of cruelty to members of this Council if I make a speech at this hour of the day in recommending this resolution to the Council. What I mean is quite clear from this resolution, and the Government and the members will understand what is meant. Under the old rules when an officer had to retire under the 25-year rule, discretion was given to the Government to grant him an extension on the ground that he has not earned his full pension. Under the recent orders, an amendment of the old rules, it lays down that no extension can be granted except on public grounds. The fact that an officer has not earned or is not entitled to full pension is not 'public grounds' and therefore an officer is made to retire simply because he has not reached the full period of service, although he is capable of good and hard-work. I think, my Lord, that in such cases either by moving the Secretary of State or a change in the regulation, a point may be stretched in their favour and officers who have done good service and are capable of rendering further good service in the interest of the people, who will have the advantage of their service, a small extension should be granted in order to enable them to earn the pension to which they are morally entitled."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, to put it in the briefest form, the reason why we cannot accept this resolution is that, constituted as Government is at the moment in this

country, whatever may be the case hereafter, the matter is one in which we are governed by the orders of the Secretary of State, and it would not be open to us, even if we would, to say to that authority 'We do not like your orders, and we do not mean to carry them out'. It is perfectly true that we have occasionally stretched a point in special cases where the interval between the ordinary date of retirement and the term qualifying for full pension is very small; but we cannot accept any proposition that we should do so in an ordinary way. The rule has only recently been framed in its present form, and it was so framed after full discussion. Before 1917, the old rules, although a man could be called on to retire at 55, used to favour his retention if he was fit in the interests of the superannuation charges. In 1917 the whole matter was thrashed out, and, contrary to the practice that obtained up to that time, it was definitely laid down that an officer, other than a ministerial officer, should retire at 55 except when exceptional public grounds for his retention existed and there was no doubt as to his physical fitness. These are the instructions by which we are governed and only recently, on a representation which came from a certain quarter that we were interpreting this rule too strictly, we made a reference to the Government of India in which we explained our practice as follows :—

'The local Government have felt bound to interpret the new rule strictly in the case of all services, and they have held that the retention of the services of an officer after he has attained the age of 55 would not be justified if an equally or almost equally capable officer can be found to take his place without serious detriment to the public interest.'

We were told in answer to that, that our interpretation of the rule was correct, and I am afraid, so far as we are concerned, that closes the discussion."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, after what has fallen from the Hon'ble Member, I beg leave to withdraw this resolution."

The motion was then, by leave of the President, withdrawn.

Adjournment.

The Council was then adjourned *sine die*.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA;
The 28th August, 1919.

B. S. Press—10-9-1919—1994J and 2247J—350—C. A. P and others.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 3rd September, 1919, at 11 A.M.

Present:

HIS EXCELLENCY THE RIGHT HON'BLE LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. LANG.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. T. O. D. DUNN.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble MR. R. V. MANSELL, Q.B.E.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble SIR FRANK CARTER, KT., C.I.E., C.B.E.

The Hon'ble MR. A. R. MURRAY, C.B.E.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

1. The Hon'ble Mr. Duval made an oath of his allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

STARRED QUESTIONS.

The following questions which had been starred were put and answered :—

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***I.**

Alleg medi atten the V Schoo Kurs

(*a*) Will the Government be pleased to state what provision there is in the Victoria School, Kurseong, for medical attendance for the pupils and staff, including the menials?

(*b*). Is it a fact that recently a death occurred among the pupils, and that the only medical attendance available was that of the Resident Surgeon of the station?

(*c*) Is it a fact that the Resident Surgeon has not only to attend to calls from the school, but has also to attend to the station people and the tea plantations round about, and that this has to be done without any telephonic communication which is absent in the station?

(*d*) Will the Government be pleased to state what provision they have in contemplation for providing for adequate medical attendance for the school in question?

Answer by the Hon'ble Mr. Goode:—

"(*a*) A highly qualified and experienced nurse and a qualified compounder reside on the school premises. Medical attendance is given by the Civil Medical Officer and in his absence, the municipal Assistant Surgeon.

(*b*) One of the boys died in June last; he was attended by the Civil Medical Officer and the Assistant Surgeon.

(*c*) The reply is in the affirmative. Telephonic communication will shortly be installed between the residence of the Civil Medical Officer, the plantations and the school.

(*d*) Government are disposed to think that the present arrangements for medical attendance are adequate, but it is understood that the Director of Public Instruction is considering the desirability of improving these arrangements."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***II.**

Pay o of Inc

(*a*) Will the Government be pleased to state what is the pay of Assessors of income-tax employed in the Districts of the Bengal Presidency, outside Calcutta?

(*b*) What is the pay and grade of Assessors employed in Calcutta?

(*c*) Is not the work of the Assessor in the mufassal similar to that of his colleague in Calcutta?

(*d*) Are the Government contemplating the revision of the scale of pay of mufassal Assessors?

Answer by the Hon'ble Mr. Payne:—

" (*a*) Rs. 75—2—125.

(*b*) The pay of income-tax assessors in Calcutta is graded as follows:—

Two on Rs. 300—10—350.
Three on Rs. 250—10—300.
Five on Rs. 200—10—250.
Four on Rs. 200 each.

(*c*) The work is of a similar nature, but income-tax assessors in Calcutta have much more difficult and responsible duties to perform, as the incomes to be assessed are much higher and the variety of businesses is much greater than in the *mufassal*.

(*d*) No."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***111.**

Congestion of traffic in the northern sections of the town.

(*a*) Are the Government aware that repeated communications have been made by the District Engineer, District No. I, of the Corporation of Calcutta, as to the difficulty of sweeping, watering, and otherwise properly conserving the roads in the Kumertooly and Jorabagan sections of the town on account of the numerous carts and animals which are more or less permanently located at all hours of the day on the public streets in the Burra Bazar, Jorabagan and Kumertooly sections of the town?

(*b*) Are the Government also aware that this congestion causes inconvenience both to wheeled and foot traffic?

(*c*) Are the Government also aware that the said District Engineer has been complaining for the last 2 years to the Deputy Commissioner of Police, Northern Division, on the subject?

(*d*) Are the Government also aware that although complaints have been made for the last 2 years, the state of affairs continues as before?

(*e*) What steps have been taken or are being taken in the matter?

Answer by the Hon'ble Mr. Goode:—

" (*a*) and (*b*) The reply is in the affirmative.

(*c*) Government understand that several complaints have been made to the police in this connection.

(*d*) Government are aware that no adequate remedy has been provided for the state of affairs referred to by the Hon'ble Member. The Chairman of the Calcutta Corporation reports that there has been some improvement during the past two years and that carts and bullocks are not now left on the road for the whole 24 hours to the same extent as before.

(*e*) (*i*) During the past 18 months, there have been 9·421 prosecutions for obstruction and 5·457 cattle have been impounded in the Kumartoli and Jorabagan sections of the town.

(*ii*) Government have referred to the Port Trust the question of the utilization of the river-side lands belonging to that body.

The question of providing *khatals* for the cartmen, who cause obstruction in the streets referred to by the Hon'ble Member, will no doubt be dealt with in any proposals made in connection with the river-side area "

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***IV.**

Improve the pay prospect extra co in the C Registry

(*a*) Is it a fact that the extra copyists in the Calcutta Registry Office submitted a petition on the 8th July, 1919, to the Secretary to the Government of Bengal, Revenue Department, embodying their grievances and praying for improvement of their pay and prospects?

(*b*) What action has been taken by Government on the memorial?

(*c*) Is it a fact that old section rates have been abolished and that new contract rates have been introduced, with the result that extra copyists are unable to earn more than the minimum pay of the ministerial officers?

(*d*) Was this the case before the introduction of the new system? If not, what was the necessity for the change?

(*e*) Is it a fact that these extra copyists do not get any grain compensation or war allowances usually given for the increased price of food-stuffs and other necessaries of life, although some of them have been working there continuously for 10 or 15 years?

(*f*) Is it a fact that the number of extra copyists employed is four times that of the permanent staff?

(*g*) Is it the intention to keep them on permanently, and, if so, is it intended for the present to make some of the more senior men permanent?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) Yes.

(*b*) As it was submitted direct it has been referred to the Inspector-General of Registration for disposal.

(*c*) In 1899 the section rates, which used to obtain previously and under which a copyist used to get Re. 1 for 1,600 English or 2,000 vernacular words copied, were abrogated. In their place a monthly rate of Rs. 20 for each temporary copyist, subject to an outturn of 3,000 words a day, was introduced in the Calcutta office. The minimum pay then admissible to a permanent copyist in that office was Rs. 20 a month. This was raised to Rs 25 a month in 1907. The monthly rate of pay of a temporary copyist was at the same time raised to that level.

(*d*) No. The change was made because the employment of men on section rates was found in practice to be unnecessarily costly.

(*e*) Temporary copyists are not whole-time servants of Government and are not therefore entitled to grain compensation allowance; but a very few of them who, though technically in temporary employ are entertained continuously, are entitled to the war allowance.

(*f*) Yes, but the number of extra copyists employed varies from time to time with the pressure of registration work.

(*g*) No such proposal is under consideration."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***V.**

The Navaran-Satkhira and Bongang-Satkhira lines.

(*a*) Will the Government be pleased to state which of the lines Navaran-Satkhira and Bongang-Satkhira, as surveyed by the managemen of the Eastern Bengal Railway and which were under the consideration o the Railway Board, has been sanctioned?

(*b*) When is the construction of the sanctioned line to be commenced?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) and (*b*) Both these questions might more appropriately be asked in the Imperial Council. The Bengal Government have no information under the head of either sanction or construction."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***VI.**

The Garden Reach Municipality.

(*a*) Will the Government be pleased to state what is the constitution of the present Garden Reach Municipality? How many Commissioners does it consist of, and how many of them are nominated by Government and how many are elected?

(*b*) Is it a fact that the original South Suburban Municipality was split up in 1897 into three municipalities, namely, (1) Garden Reach, (2) Tollygunge and (3) South Suburban (Behala)?

(*c*) Is it a fact that the residents of the original South Suburban Municipality enjoyed the elective system and that, since 1897, the residents of what is now the Garden Reach Municipality have been deprived of the privilege of electing their representatives to the newly-formed municipality while the residents of Tollygunge and Behala are permitted to enjoy the privilege in their respective municipalities?

(*d*) If so, what is the reason of this differential treatment accorded to the residents of the Garden Reach Municipality?

(*e*) Is it a fact that the residents of the Garden Reach Municipality submitted three successive petitions to the Commissioner of the Presidency Division on the 7th April, the 30th May and the 18th July last, praying for the introduction of the elective system and asking him to receive a deputation?

(*f*) Is it a fact that the only reply to these representations was given in a letter, dated the 12th August last, informing the petitioners that the Commissioner would receive the deputation after his return from tour on the 2nd September at 3 P.M.?

(*g*) Is it a fact that while these successive representations were pending with the Commissioner without eliciting any reply the Garden Reach Municipality was reconstituted by a notification in the *Calcutta Gazette* on the 30th July last?

(*h*) Are the Government considering the desirability of introducing the elective system into the Garden Reach Municipality?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The present Municipal Board of Garden Reach consists of 12 Commissioners appointed by Government.

(*b*) The original South Suburban Municipality was first sub-divided in 1897 into 2 municipalities, viz., South Suburban and Garden Reach. The former was further sub-divided in 1900 into two, viz., South Suburban and Tollygunge.

(*c*) The reply is in the affirmative.

(*d*) Garden Reach differs from other suburban municipalities in that it contains mills, dock-yards and Emigration Depots which give employment to about 30,000 people out of a population of 46,000. The Mills, Dock-yards etc., pay taxes amounting to 75 per cent. of the total income. It is not a residential quarter for middle-class families. Both on account of the predominent mill interests and because it would be difficult to secure suitable elective representatives, it has not been considered desirable to introduce elective system here.

(*e*) A petition purporting to emanate from certain ratepayers dated 7th April, 1919, was received by the Commissioner and sent to the District Magistrate for report. This was followed by another petition on the 30th May asking the Commissioner to receive a deputation, but it was decided to await the return of the Magistrate's report before granting this request. In August Mr. Lang, who had succeeded to the office of Commissioner in July, received a petition by name, dated the 18th July, asking him to receive a deputation and to this he consented, although the new Committee had already been appointed on the 27th July.

(*f*) Yes.

(*g*) The Garden Reach Municipality was reconstituted by notification No. 2049M., dated the 26th July.

(*h*) The reply is in the negative."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VII.**

(*a*) Is it a fact that the southern part of the town of Pabna, including the Court compound, the quarters of high officials and the Sitlai Lodge, is in imminent danger of being washed away by the Ganges? Danger south Pabna erosio Ganges

(*b*) Is it also a fact that the matter was brought to the notice of His Excellency the Governor last year on the occasion of his visit to the town and that His Excellency was pleased to assure the people that necessary action would be taken to prevent further erosion?

(*c*) Will the Government be pleased to state what protective steps have been taken, or are being taken, since the assurance given by His Excellency to prevent the rapid erosion of the river below the town?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) It is a fact that the outlying portions of the town known as Bajitpur, Sadhupara and Ramchandrapur are in imminent danger of being washed away by the Padma. The danger in regard to the Court compound and the Sitlai Lodge does not appear imminent.

(*b*) In his reply to the addresses presented at Pabna on the 29th August, 1918, His Excellency the Governor said: 'The Chief Engineer in the Irrigation Department has already inspected the scene of the erosion during the present year. He informs me that the river has gone back to the old channel which it occupied sixty years ago, and he does not expect that further serious erosion will take place. At the same time he proposes to keep the position under careful observation with a view to taking such measures as may be found possible should the necessity arise.'

(*c*) The position has been kept under careful observation and the position of the river delineated on the plans. It is not possible to state with certainty to what further extent erosion will continue; but it is possible that the houses

occupied by the Collector and the Superintendent of Police may have to be vacated. The position was inspected by the Chief Engineer in the Irrigation Department on the 19th August; it is under the careful observation of the local officers of the Public Works Department; and a further inspection will be made by the Chief Engineer when the river level falls sufficiently. Any project for the permanent protection of the town and Government buildings is likely to cost a very large sum of money; a full report will, however, be submitted to Government with the recommendations of the Chief Engineers of the Public Works Department as soon as the river level falls sufficiently to enable a more thorough inspection to be made."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VIII.**

Revision of pay of the Khas Mahal staff of Maniaguri.

(*a*) Is it a fact that there were proposals for revising the pay of all ministerial establishments in executive and judicial offices under the Eastern Bengal and Assam Government (including Khas Mahal establishments) and that such proposals received the sanction of the Secretary of State as far back as 1916?

(*b*) If the answer to clause (*a*) be in the affirmative, will the Government be pleased to state whether the pay of the ministerial staff of the Khas Mahal was so revised in pursuance of the said proposals? If not, why not?

(*c*) Is it a fact that the Khas Mahal staff of Maniaguri, in the district of Jalpaiguri, made repeated representation about the revision of their pay to the Deputy Commissioner of Jalpaiguri in 1914, and to the Commissioner of the Rajshahi Division?

(*d*) Is it a fact that the Deputy Commissioner of Jalpaiguri replied to the aforesaid representation that the "matter would be reopened after the receipt of a final report from the Settlement Officer?"

(*e*) Is it a fact that the settlement operations have been finished and the final record-of-rights published?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes.

(*b*) The matter is still under inquiry.

(*c*) Two representations were made in 1913, and one in 1918.

(*d*) No, the matter is at present under the consideration of Government.

(*e*) Yes."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***IX.**

Improvement of pay of the Lower Subordinate Educational Service, etc.

(*a*) Are the Government aware of the great difficulties under which the teachers and clerks of the Lower Subordinate Educational Service and outside the graded service are suffering owing to the high prices?

(*b*) Did the Government receive any representation from them in March or April last for the improvement of their pay?

(*c*) If so, will the Government be pleased to state what action they have taken or are taking in the matter?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The reply is in the affirmative.

(*b*) and (*c*) The Hon'ble member is referred to the reply to unstarred question No. 12 asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri at the meeting of the Council held on the 12th August, 1919."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***X.**

Revisi pay an prospe Subord Lower Subord Educat Servic

With reference to the resolution moved in this Council on the 20th November, 1917, when the Government held out a promise to revise the pay and prospects of the Subordinate Educational Service and the Lower Subordinate Educational Service, will the Government be pleased to state what action they have taken or are taking in the matter?

Answer by the Hon'ble Mr. Goode:—

"The Hon'ble Member is referred to the reply given to unstarred question No. 4 asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XI.**

Site of headqu of the Kishor district

(*a*) Is it a fact that in the contemplated partition of the present district of Mymensingh the headquarters of the proposed Kishorganj district will be at Kishorganj?

(*b*) Have the Government consulted the wishes of the people of the proposed Kishorganj district in the matter?

(*c*) Are the Government aware of a feeling amongst the people that the location of the headquarters at Kishorganj will be unsatisfactory to the people concerned and that they are in favour of having the headquarters at Husainpur?

(*d*) Will the Government be pleased to lay on the table a statement showing the comparative advantages and disadvantages of Kishorganj and Husainpur in this respect?

Answer by the Hon'ble Mr. Kerr:—

"(*a*) Yes.

(*b*) Yes. The Hon'ble Member is referred to the resolution on the subject of the partition of the Mymensingh district which was published in the Calcutta Gazette of the 2nd June, 1915.

(*c*) and (*d*) In response to that resolution representations were received from the Husainpur People's Association and others proposing that Husainpur should be selected as the district headquarters instead of Kishoreganj. Similar representations were received in favour of other small towns. The main objection brought against Kishorganj was that the water supply is insufficient, but special inquiries made on this point showed that an ample supply could be made available. Apart from this, Kishorganj has decided advantages over Husainpur in that it is centrally situated on the Bhairab-Mymensingh Railway, whereas Husainpur is on the western boundary of the district about nine miles distant from the railway. Moreover, Kishorganj, being already a subdivisional headquarters, could be converted into a district headquarters at much less expense than would be incurred if the headquarters

were located at a place where no Government buildings exist. For these reasons, Government decided to place the district headquarters at Kishorgan in preference to any of the other places suggested."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XII.**

Sale of rice in the districts.

Are the Government considering the desirability of issuing instructions to the district officers with a view to arrange for the supply of rice in their districts to be sold at a reasonable price before allowing any portion of the supply to be sent outside the district by the rice dealers?

Answer by the Hon'ble Mr. McAlpin:—

"The answer to the particular question is in the negative. Arrangements are, however, in force in different districts by which licensed importers can import Burma rice on condition that they do not sell above a price fixed by the District Officer. In this connection, the Hon'ble Member is referred to the answer given to question No. 24 (*d*) (unstarred) at the Council meeting held on the 12th August, 1919."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XIII.**

Rise in the prices of cloths.

(*a*) Are the Government contemplating an inquiry with a view to ascertain the causes for the recent rise in the prices of cloths?

(*b*) Will the Government be pleased to state what, if any, measures are being taken for the supply of cloths at comparatively cheaper rates during the Puja and winter sessions, *i.e.*, in the months of September to January next?

(*c*) Have the Government considered the desirability of arranging direct with the mills and the mill agencies for the sale of cloth?

Answer by the Hon'ble Mr. Payne:—

"(*a*) No. The causes of the high price of cloth are known and there has been very little rise recently.

(*b*) Arrangements have been made by local bodies both in Calcutta and in the *mufassal* for the supply of a limited quantity of cloth at approximately present prices in view of the possibility of a rise of price at the time of the Pujas and afterwards.

(*c*) The arrangements referred to in the preceding reply have been made direct with the Bombay mills."

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***XIV.**

Site for a new Legislative Council Hall.

(*a*) With reference to the question of a site for a new Legislative Council Hall for Bengal, have the Government considered whether the Victoria Memorial Building, now approaching completion in construction, would be suitable as a meeting place for the prospective Legislative Council?

(*b*) Have the Government considered that the distance of the Victoria Memorial Building from Government House and the business part of the town with motor-car and telephone conveniences would be conducive to its adaptability as the future Bengal Parliament House?

(*c*) Are the Government considering the desirability of referring to the committee which they have recently appointed for advising them upon a suitable site for a new Legislative Council Hall, the question of the utilization for such purpose of the Victoria Memorial Hall?

Answer by the Hon'ble Mr. Cowley:—

"All suggestions of this character will doubtless be examined by the committee recently appointed to consider the question of a suitable site for the new Council Chamber. Pending the receipt of the report of that committee, Government do not propose to express any opinion in the matter."

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

Estate Maharaja Sir Prodyot Kumar Tagore

(*a*) Will the Government be pleased to lay on the table a statement showing the amount, the rate of interest, and the date of the loan given to Maharaja Sir Prodyot Kumar Tagore, Kt., from public revenue and the time-limit, if any, for re-payment thereof?

(*b*) Is it a fact that it was laid down as a condition that the Government would recoup the loan in 8 years and then release the estate of the Maharaja from Government management?

(*c*) Will the Government be pleased to lay on the table a statement showing, year by year, the amount that has, up to date, been realized and the balance due?

(*d*) Is it a fact that the late Rai Jamini Mohan Dass Bahadur was placed on special duty in the Tagore Estate for about 6 months and that he prepared a scheme of management and also submitted to Government a report on the management of the said estate?

(*e*) Will the Government be pleased to lay on the table a copy of the said scheme and report?

(*f*) Was the said scheme approved by Government? Was it followed by Mr. Mackay, the present Manager of the said estate?

(*g*) Is it a fact that *Naibs* and Assistant Managers are being annually paid bonuses varying in amounts from Rs. 500 to Rs. 1,500.

(*h*) Is it a fact that the total amount of such bonuses comes to about Rs. 15,000 annually? Are such bonuses allowed by the rules of management of such estates?

(*i*) Was any sanction ever obtained from Government before increase in salary and payment of bonuses, fixed travelling allowances, charges for horses, elephants and green-boats were made by Mr. Mackay?

(*j*) Are bonuses and green-boat allowances, in addition to fixed travelling allowances, paid to circle officers of Khas Mahal, Encumbered and Wards' Estates?

(*k*) Is it a fact that the Maharaja Sir Prodyot Kumar Tagore complained to Government about the excessive establishment charges of the estate with special reference to the payment of bonuses? If so, what action was taken by the Government in the matter?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Loan of 50 lakhs at 4 per cent., 20th November, 1908, loan of 10 lakhs at 6 per cent., 7th July, 1915. Total 60 lakhs.

No time limit for repayment.

Estimated probable date of liquidation, 1934-35.

(*b*) No.

(*c*)

		PAYMENTS. Amount realized.		
		RS.	A.	P.
1909-10	... ...	6,09,204	0	0
1910-11	... ...	4,02,013	2	0
1911-12	... ...	3,45,424	8	5
1912-13	... ...	1,85,375	2	6
1913-14	... ...	2,10,000	0	0
1914-15	... ...	3,62,193	10	0
1915-16	... ...	1,75,000	0	0
1916-17	... ...	1,75,000	0	0
1917-18	... ...	3,75,000	0	0
1918-19	... ...	1,70,000	0	0
Total payments	... ...	30,09,210	6	11
Balance outstanding	...	29,90,789	9	1

N.B.—By the terms of the Deed of Mortgage certain immoveable and moveable properties were to be sold and the proceeds as realized paid to liquidation of the loan. This accounts for the variations in annual payments.

(*d*) to (*i*) and (*k*) This portion of the question deals with matters affecting the private affairs of a private individual which are no concern of the public; and Government are not prepared to make public information with regard to them.

(*j*) This is the subject of inquiry."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

2.

Allegations against Mr. Baker, Deputy Conservator of Forests.

(*a*) With reference to the answer given to my unstarred question No. 49, on the 12th August, 1919, will the Government be pleased to lay on the table the report of the Conservator of Forests regarding the allegations made by certain forest contractors of Darjeeling against Mr. Baker, Deputy Conservator of Forests?

(*b*) When were the inquiries referred to in the said answer ordered and what opportunities were given to the above contractors to substantiate the allegations they made in their memorial?

Answer by the Hon'ble Mr. McAlpin:—

"Government are not prepared to supply the information as it is not in the public interests to refer to a matter which is or will be the subject matter of a criminal case."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Upper Subordinate Service of the Public Works Department.

(*a*) Is it a fact that—

(*i*) the Upper Subordinate Service of the Public Works Department was formed more than 50 years ago;

(*ii*) that the scale of pay and allowances then fixed has remained the same ever since;

(*iii*) the qualifications required from the members of the service who have joined during the past 25 years or more have been steadily raised, without any compensating rise in salaries or allowances;

(*iv*) in 1913 the Secretary of State for India sanctioned certain schemes for the betterment of the service which had been submitted by the Local Government?

(*b*) What are the features of these schemes as sanctioned by the Secretary of State, and what steps have since been taken to give effect to them in Bengal?

(*c*) Have the Government received any memorial from the members of the service in Bengal?

(*d*) Is it a fact that several other provinces have already granted increased pay and allowances, with time scale, to the members of the Upper Subordinate Service in those provinces?

Answer by the Hon'ble Mr. Cowley:—

" (*a*) (*i*) Yes.

(*ii*) Yes, except that sub-engineers, 1st grade, are now granted under certain conditions two periodic increments of Rs. 50.

(*iii*) No. The qualifications required have not been raised, but the standard of education of those seeking training in engineering and subsequently competing for appointments in the Upper Subordinate Service is higher now than it was 25 years ago.

(*iv*) No. The Hon'ble Member possibly refers to the fact that in that year the Secretary of State sanctioned the grant of certain enhanced financial powers to Local Governments; these enhanced powers enabled Local Governments themselves to deal with the memorials of members of the Upper Subordinate Service which had been submitted to the Government of India.

(*b*) As stated above no scheme has been sanctioned by the Secretary of State. The present position is that in 1915 the Government of India suggested certain broad principles to be followed in revising the pay of the Upper Subordinate Service and the substituiton of a time-scale of pay. A time-scale was drawn up; but effect could not be given to it at the time owing to financial conditions brought about by the war. It has subsequently been re-examined and revised and it is hoped that it may be brought into force at an early date.

(*c*) Yes.

(*d*) It is understood that the Governments of Madras, Punjab, United Provinces of Agra and Oudh and Bihar and Orissa have already introduced a time-scale of salaries."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

4.

Reorga of the Subord and Lo Subord Educa Servic

(*a*) With reference to the answers given to unstarred questions Nos. 9, 10 and 12 at the Council meeting on the 12th August, 1919, regarding the reorganization of the Subordinate and Lower Subordinate Educational Services, are the Government in a position to make a statement as to the approximate time when the scheme for the improvement of those services will be elaborated and given effect to?

(*b*) Has any tentative scheme been drawn up in this connection pending the consideration of the question of reorganization of the higher services of the Education Department? If so, what are the main features thereof?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) The reply is in the negative. The general principles on which reorganization should proceed are, however, being worked out."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5.

War allowances to certain officers of Government.

With regard to the recent orders of Government regarding war allowances to officers of Government drawing salaries of over Rs. 12, but not more than Rs. 50, will the Government be pleased to state what principle has been followed in the distribution of these allowances?

Answer by the Hon'ble Mr. Payne:—

"The allowances were fixed according to the grades of the officers concerned, and in each case the allowance is equivalent to 5 per cent. of the maximum pay of the grade."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

Supply of rice in the Districts of Dacca, Mymensingh and Tippera.

What action has been taken in Dacca, Mymensingh and Tippera in pursuance of the recent ordinance regarding the supply of rice, and how far has it been effective in controlling the price and supply of rice in each of these districts?

Answer by the Hon'ble Mr. McAlpin:—

"No notification under Ordinance IX of 1914 was published in the district of Tippera; and no specific action has been taken in the districts of Dacca or Mymensingh under the powers conferred by the notifications relating to those districts."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

Number of memorials and representations made to Government owing to the prevailing high prices.

How many memorials and representations have the Government received up to date from public associations and meetings regarding the prevailing high prices, and what action has been taken thereon?

Answer by the Hon'ble Mr. McAlpin:—

"Twenty-nine. It is difficult to say what action has been specifically taken on each of these memorials or representations, as the matter has been constantly engaging the attention of Government. The latest results are those given in the recent *communiqués* of the 28th and 31st August, 1919, of which copies are laid on the table."*

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

8.

Alleged grievances of the district kanungos of Bengal.

(*a*) Are the Government aware of the grievances of the district kanungos of Bengal?

(*b*) Will the Government be pleased to state the reason why there is so great an inequality of pay between settlement kanungos and the district kanungos of Bengal?

* Not printed in these Proceedings.

(*c*) Will the Government be pleased to lay on the table a comparative statement showing the number and other particulars of yearly promotions to the subordinate civil service since 1914 from—

(*i*) the settlement kanungos, and

(*ii*) the district kanungos,

and state the reason in each case as regards the general qualifications and special merit, if any, and period of service of those who were promoted?

(*d*) Is it a fact that the claims of the district kanungos were totally ignored in 1917, and again in 1919, when 14 vacancies were filled up by promotion from the settlement kanungos alone?

(*e*) Is it a fact that a promise was given to the district kanungos that they would be promoted to the subordinate civil service for their good work and that wherever possible the services of deserving and efficient men would also be utilized as managers and sub-managers of Government, and wards', attached and trust estates in the Presidency of Bengal?

(*f*) Was this promise duly considered at the time of the recent appointment of the manager of the Bainchi B. L. Mukherjee's Trust Estate in the district of Hooghly?

(*g*) What is the total number of district kanungos who are at present serving as managers or sub-managers in the wards' attached and trust estates in the Presidency of Bengal?

(*h*) Will the Government be pleased to state the history of the services and academical qualifications of the manager of the Gobardanga Wards' Estate in the district of the 24-Parganas prior to his appointment to the present post?

(*i*) Are the Government considering the advisability of appointing deserving district kanungos for their meritorious services as circle officers, as an experimental measure, and in other vacant posts kept reserved by Government, or likely to occur at the time of the reconstitution of the union boards under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919)?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) Certain communications regarding their grievances have been brought to the notice of Government.

(*b*) The reasons are as follows.—

(*i*) District kanungos hold permanent and pensionable posts; the posts of settlement kanungos are temporary

(*ii*) District kanungos draw travelling and halting allowances; settlement kanungos are not entitled to travelling allowance except by rail or steamer journeys and for journeys outside their jurisdiction.

(*iii*) The duties of settlement kanungos are different from, and more arduous than, those of district kanungos

(*iv*) The rules provide for the recruitment of more highly educated persons as settlement kanungos than as district kanungos.

(*c*) A comparative statement is laid on the table in which is included the period of service and educational qualifications so far as they are at present

known to Government. Government are not prepared to go into reasons in detail and give information regarding the respective merits of individual officers.

(*d*) In 1917 no district kanungo was nominated for appointment by the Board of Revenue. In 1919, 14 special vacancies due to the increase in the cadre owing to the expansion of the circle system were filled up by promotion from settlement kanungos, with the intention of appointing them eventually as circle officers. This was done in accordance with the recommendation contained in paragraph 152 of the Report of the Bengal District Administration Committee that settlement kanungos would furnish a particularly favourable field for the recruitment of the additional sub-deputy collectors required for the circle system. The ordinary vacancies for 1919 have not yet been filled up.

(*e*) The Hon'ble Member probably refers to the following statement regarding district kanungos:—

'Kanungos who have done exceptionally good work will be eligible for promotion to the Subordinate Civil Service, and His Excellency in Council desires that whenever possible the services of efficient and deserving men should also be utilised as managers and sub-managers of Government and wards' estates.'

(*f*) Yes

(*g*) One.

(*h*) Read up to the First Arts standard. A history of his services is laid on the table

(*i*) Government do not propose to reserve any posts for district kanungos in connection with the recruitment of circle officers, but it is open to the Board to nominate district kanungos for those appointments as sub-deputy collectors that are made on the nomination of the Board."

Statement referred to in the answer by the Hon'ble MR. MCAIPIN *to question No. 8 (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council meeting of the 3rd September, 1919, showing the appointments made to the Subordinate Civil Service from amongst District and Settlement Kanungos from 1914 to 1919.*

Year.	District Kanungos.		Settlement Kanungos.	
	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.
1914	1	Babu Dhurjati Kumar Dutta, 9 years' service.	3	(1) Babu Jaladhar Ghosh, B.L., 9 years' service. (2) Maulvi Muhammad Mahiuddin, F.A., 7 years' service. (3) Babu Kailashpati Ghosh, B.A., was not nominated as a Settlement Kanungo but in the ordinary way by the Collector.
1915	1	Babu Hem Chandra Sen, F.A., 8 years' service.	3	(1) Babu Prabhat Chandra Banarji, B.A., 9 years' service. (2) Maulvi Ali Azam, F.A., 9 years' service. (3) ,, Muhammad Elahi Daud, F.A., 9 years' service.

Year.	District Kanungos.		Settlement Kanungos.	
	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.
1916	1	Babu Rajendra Nath Biswas, 11 years' service. District Kanungo, Midnapur, on deputation as Sub-Assessor of the Calcutta Corporation.	1	Babu Sashi Bhusan Ghosh. Entrance. 15 years' service Possessed special survey qualifications. Declared by the Director of Surveys, Bengal, fit for appointment as Technical Advisor to Settlement parties
1917	Nil	.....	2	(1) Babu Dwarkanath Das, B.A., Settlement Kanungo, on deputation under the Court of Wards (2) Babu Mohini Mohan Chakrabatti, B.A., 10 years' service
1918	2	(1) Babu Charu Chandra Bhattacharji. 10½ years service. First nominee from the Rajshahi Division. Nominated by the Commissioner since 1915. (2) Maulvi Fazlal Karim, F.A., 4 years service. A Settlement Kanungo from 1906 to 1914 and a District Kanungo since 1914. Well reported on and said to have been a first class District Kanungo	Nil	.....
1919	Nil	.....	14	(1) Babu Prakriti Nath Basu, B.A., 13 years' service (2) ,, Anath Bandhu Ray, B.A. 12 years service. (3) ,, Suresh Chandra Ghosh, B.A., 12 years service. (4) ,, Sarodah Prasanna Chaudhuri, B.A. 12 years' service (5) ,, Harendra Nath Mukharji, B.A., 12 years' service. (6) Maulvi Nazimuddin Ahmad, F.A. 12 years service (7) Babu Ashutosh Chaudhuri, F.A., 12 years' service. (8) ,, Shib Charan Mitra F.A., 12 years' service. (9) ,, Pramada Kumar Basu, F.A., 12 years' service. (10) Maulvi Kazi Fazlul Karim, F.A., 12 years service. (11) Babu Makhan Lal Banerji B.A., 11 years' service (12) ,, Bir Chandra Mukharji, F.A., 11 years' service. (13) Maulvi Nazir Hussain, F.A., 11 years' service (14) ,, Shaikh Abdullah, F.A., 12 years' service.

History of the services of Babu Haris Chandra Bal, Manager, Gobardanga and Mukher Wards' Estates, referred to in the answer by the Hon'ble MR. MCALPIN *to question No (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at Council meeting of the 3rd September, 1919.*

NAME OF APPOINTMENT.	Whether substantive or acting, and whether permanent or temporary.	If acting, here state substantive appointment	Pay.	Acting allowance.	Date of appointment.	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)
1	2	3	4	5	6	7	8
			Rs.	Rs.			
Head Clerk, Kanika Tahsil office (Manager's office).	Substantive, permanent.	...	50	...	1st May, 1882.	14th July, 1887.	Taken leave with pay.
Head Clerk, Drainage office, Hooghly.	Ditto ...	.....	30	...	18th July, 1887	6th September, 1887.	Resigned
Head Clerk, Kanika Tahsil office (Manager's office).	Ditto ...	... ..	60	...	8th September, 1887.	29th October, 1890.	Transferred in the interest of public service for 3 months only
Head Clerk, Land Acquisition office, Cuttack.	Acting, temporary	Head Clerk, Kanika Manager's office	60	...	30th November 1890.	7th February, 1891.	Reverted to the permanent appointment
Head Clerk, Kanika Manager's office.	Substantive, permanent.	.....	60	...	8th February 1891.	14th January, 1894.	Being appointed to officiate as Assistant Manager
Assistant Manager, Kanika Raj Wards' Estate	Acting, temporary	Head Clerk ...	60	40	15th January, 1894.	28th February, 1894.	Returned to permanent appointment.
Head Clerk, Kanika Manager's office.	Substantive, permanent.	.....	60	...	1st March, 1894.	25th December, 1894.	Appointed Superintendent of Bhowanipur Wards' Estate, 24-Parganas
Superintendent of Bhowanipur Wards' Estate.	Ditto ...	.....	75	...	1st January, 1895.	20th September, 1897.	Appointed to officiate for the Manager of the Bhowanipur Wards' Estate during his leave
Offg. Manager, Bhowanipur Wards' Estate.	Acting ...	Superintendent	75	75	21st September, 1897.	21st November, 1897.	.....
Superintendent, Bhowanipur Wards' Estate.	Substantive, permanent.	.....	75	...	22nd November, 1897.	31st October, 1898.	To officiate for the Manager during his leave
Offg. Manager, Bhowanipur Wards' Estate.	Acting ...	Superintendent	75	75	1st November, 1898.	31st December, 1898.	.....
Superintendent, Bhowanipore Wards' Estate.	Substantive, permanent.	.....	75	...	1st November, 1899.	15th February, 1899.	Release of the Bhowanipur Wards' Estate.
Assistant Manager, B. P. Roy Chowdhury's Estate, Bhowanipur	Ditto ...	.....	75	...	16th February, 1899.	31st December, 1899.	Resignation to accept another appointment
Superintendent, Minakan Division, Port Canning and Company, Limited.	Ditto ...	.....	100	...	1st January, 1900.	31st December, 1900.	Promotion.
Superintendent, Minakan Division, Port Canning and Company, Limited.	Ditto ...	.....	125	...	1st January, 1901	15th December, 1901.	Resignation to the Court of Wards' Estate.
Assistant to the Manager, Gopal Lal Seal's Wards' Estate.	Temporary ...	.....	100	...	17th February, 1902.	20th May, 1902.	Release of the Estate on the death of the ward.
Manager, Tarapada Ghose Estate, Kidderpore.	Substantive, permanent.	.....	100	...	1st January, 1903.	14th August, 1903	Resignation to join the Pakur Wards' Estate
Assistant Manager, Pakur Joint Wards' Estate.	Ditto ...	.....	150	...	15th August 1903.	13th November, 1904.	To join the Managership, Gobardanga-Paninati Wards' Estates

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

9.

Educat Departi Service

(*a*) Is it a fact that the office staff of the Director of Public Instruction have had a separate list since 1914 or thereabouts? If so, will the Government be pleased to state the reasons why officers of other clerical establishments, such as the Divisional Inspector's office, etc., have not been included in that special list?

(*b*) Is it a fact that the names of the officers of the Director of Public Instruction's office have not since then been published in either of the subordinate educational service or lower subordinate educational service lists since 1914? If so, will the Government be pleased to state the reasons why the public were kept in ignorance of the appointments, promotions, etc., in the office of the Director of Public Instruction?

Answer by the Hon'ble Mr. Goode:—

"(*a*) There has been a separate cadre for the office establishment of the Director of Public Instruction since December, 1915. There is a separate scale for the office of each of the other Heads of Departments in Bengal. Posts belonging to different establishments cannot conveniently be included in one common list

(*b*) Yes, for the reason that these officers do not belong to these services any longer. It is contrary to the usual practice to notify the appointments and promotions of non-gazetted officers in the Secretariat offices and offices of other Heads of Departments."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

10.

Particula about offi in the offi the Direc of Public Instructi

Will the Government be pleased to furnish a tabular statement showing—

(1) the names of the officers of the office of the Director of Public Instruction;
(2) their educational qualification on entry;
(3) the date of their appointment and their pay on the 1st April, 1913, and 1st April, 1919, respectively; and
(4) the number of years they have been serving in the office of the Director of Public Instruction?

Answer by the Hon'ble Mr. Goode:—

"A statement is laid on the table."

Statement referred to by the Hon'ble Mr. Goode *in his reply to question No. 10 (unstarred), asked by the Hon'ble* Maulvi A. K. Fazl-ul-Haq *at the Council meeting on the 3rd September, 1919.*

Name	Educational qualification.	Date of appointment to Government service	Pay on 1st April 1913	Pay on 1st April, 1919	Number of years serving in Director of Public Instruction's office up to 1st April, 1919	REMARKS.
2	3	4	5	6	7	8
			Rs.	Rs.	Y. M. D.	
Sahib Surendra ath Sinha.	B. A	5th May, 1882.	200	250—10—300	15 7 4	Sub. *pro tempore* Personal Assistant from 1st March, 1918, on Rs. 300—40—500.
L. M. Martyr ...	No University qualification.	1st January, 1884.	250	250	20 3 0	

Serial No.	Name.	Educational qualifications.	Date of appointment to Government service.	Pay on 1st April, 1918.	Pay on 1st April, 1919	Number of years serving in Director of Public Instruction's office up to 1st April, 1919.	Remarks
1	2	3	4	5	6	7	8
				Rs.	Rs.	Y. M. D.	
3	Mr. J. N. Mukherjee	M. A., Bar-at-Law.	1st March, 1909.	200	200	3 9 0	Transferred from Howrah School.
4	Maulvi Abdul Latif Khan.	F. A., read up to B. A	8th February, 1906	125	200	10 0 0	
5	,, Abul Hassan Abdul Quayyum.	F. A. ...	16th October, 1905.	150	175	13 5 0	
6	Babu Paresh Nath Chakravarty.	B. A., Honours in English.	8th October, 1905.	125	175	10 4 0	
7	,, Abinash Chandra Mallik.	No University qualification.	11th January, 1883	100	150	36 0 0	
8	,, Sarat Chandra Dutta.	B.A., B.L. ...	13th July, 1908.	60	150	10 9 0	
9	,, Rakhal Das Mallik.	No University qualification.	1st December, 1892	75	150	26 0 0	
10	Maulvi Abul Khair ...	F.A., plucked B.A.	3rd May, 1905.	60	125	1 5 0	Retransferred from the office of the Assistant Director of Public Instruction for Mahammadan Education.
11	Babu Atul Chandra Ghose.	Entrance ...	1st October, 1897.	60	125	15 6 19	
12	,, Bhola Nath Sircar.	Ditto ...	2nd June, 1903.	50	125	13 0 11	
13	,, Chandra Nath Sen.	Ditto ...	1st November, 1887.	75	100	1 10 3	Transferred from the office of the Inspector of Schools, Chittagong Division. Rs. 150.
14	,, Pramatha Nath Banerji, No. 1.	B.A., B.T. ...	13th December, 1907	50	100	4 10 24	Transferred from the Inspecting Staff on Rs. 50.
15	,, Anath Bandhu Chakravarti.	Read up to F A.	9th October, 1901.	50	100	17 5 22	
16	,, Abinash Chandra Mukherjee.	No University qualification.	1st February, 1890.	50	80	28 14 0	
17	,, Nakuleswar Roy	Entrance read up to F. A.	1st September, 1900	60	80	17 2 18	
18	,, Srish Chandra Ghose.	B A. ...	26th April, 1907.	70	80	3 1 25	Transferred from the Sanskrit College on Rs. 70.
19	,, Gokulananda Basak.	F. A., plucked B. A	1st April, 1904.	50	80	15 0 0	
20	Mr. A. Gabriel ...	No University qualification.	28th October, 1916.	...	70	2 5 4	First appointment Director Public Instruction's office 28th October 1916.
21	Babu Bireswar Gupta	F. A., plucked B A.	8th December, 1906.	50	70	9 4 21	
22	,, Lalit Chandra Das Gupta.	F. A., plucked B. A.	1st March 1909	50	70	10 9 0	
23	,, Provash Chandra Ghose.	F. A., plucked B. A.	1st November 1908.	50	70	11 5 0	

Name.	Educational qualifications.	Date of appointment to Government service.	Pay on 1st April, 1918.	Pay on 1st April, 1919.	Number of years serving in Director of Public Instruction's office up to 1st April, 1919	Remarks.
2	3	4	5	6	7	8
			Rs.	Rs.	Y M. D	
Babu Surendra Nath Banerji, No. I.	Passed Commercial Course Examination	12th July, 1906.	30—2—50	70	10 11 15	
,, Pramatha Nath Banerji, No. II.	F. A. ...	1st July, 1913.	50	60	5 9 0	First appointment in Director of Public Instruction's office on 1st July, 1913, on Rs 50.
,, Ramesh Chandra Sen.	Entrance ...	1st December, 1907	40	60	11 6 15	
,, Sarat Chandra Mukherji.	F. A., plucked B A.	1st February, 1911.	35—2—45	60	8 2 0	
,, Ahu Behari Basu	No University qualification.	23rd August, 1901.	30—2—50	60	15 2 17	
,, Satyahari Mukherji	Entrance ...	20th December, 1915.	...	60	3 3 12	First appointment in Director of Public Instruction's office on Rs. 50.
,, Sashi Bhusan Ghosh.	No University qualification.	1st December, 1900.	45	60	0 11 0	Transferred from the Agricultural Department on Rs. 50.
,, Basanta Kumar Sen.	Ditto ...	1st March, 1912	30—2—50	60	7 1 0	
,, Surendra Nath Majumdar.	Plucked F.A.	10th February, 1912.	30—1—35	50	7 1 19	
,, Rajendra Chandra Deb.	F A., plucked B A.	14th November, 1906	30—1—35	50	12 4 17	
Mr. L. D'Costa ...	Passed Senior Cambridge Examination.	1st September, 1917.	...	50	1 7 0	First appointment.
Maulvi Badiu Rahman.	B Sc, Honours in Physiology.	25th August, 1916.	...	50	2 7 7	First appointment in Director of Public Instruction's office on Rs. 40.
,, Tamizuddin Ahmed.	No University qualification.	1st November, 1913.	35	50	5 5 0	Transferred from the office of the Assistant Director of Public Instruction for Muhammadan Education; first appointment in this office on Rs 40.
,, Muhammad Taflazzal Hossain	I. A. ...	21st December, 1915.	...	50	3 3 11	First appointment in this office on Rs 30.
,, Azizur Rahman	Entrance ...	12th December, 1914.	...	50	4 3 20	Ditto.

Serial No.	Name.	Educational qualifications.	Date of appointment to Government service.	Pay on 1st April, 1913.	Pay on 1st April, 1919.	Number of years serving in Director of Public Instruction's office up to 1st April, 1919.	REMAI
1	2	3	4	5	6	7	8
				Rs.	Rs.	Y. M. D.	
39	Maulvi Asimaddin Ahmed.	I. A. ..	14th August, 1916.	...	40	0 9 7	Transfer from office Assista Directo Public structio for M madan cation.
40	Babu Nogendra Nath Gupta.	I. A ...	14th December 1916.	...	40	1 3 18	First ap ment in tor of Instruc office Rs. 30.
41	,, Bankim Chandra Ghose.	No University qualification.	1st April. 1917.	...	40	2 0 0	Ditto
42	,, Bhupatinath Chakravarty.	Ditto ...	26th July, 1917.	...	40	1 8 6	Ditto
43	Vacant ...	...	...	...	40	...	Mr. L Manuel been ap ed on May, 19
44	Babu Surendra Nath Banerji. No. II.	Entrance ...	14th September, 1917.	...	30	3 3 11	
45	Maulvi Gholam Ahmed.	I. A ...	...	...	30	0 10 29	First ap ment Rs. 25.
46	,, Ilias Ahmed	I. A. ...	1st August, 1918.	...	30	0 8 0	Ditto
47	Babu Kumar Krishna Bose.	Entrance ...	1st March, 1918.	...	30	1 1 0	Ditto.
48	Maulvi Abdul Gafur Khan.	I. A. ...	31st August, 1918.	...	25	0 6 1	First ap ment.
49	,, Muhammad Mozhar Ali.	I. A. ...	24th March, 1919.	...	25	0 0 8	Ditto
50	,, Khondker Muhammad Ali.	I. A. ...	29th March, 1919	...	25	0 0 3	Ditto
51	Vacant ...	...	...	...	25	...	Maulvi Bari Kh been app from May, 19
			Typists.				
52	Mr. V. A S. Sarma ...	...	29th April, 1908.	125	100—5—150	10 11 3	Shorthand Typist.
53	Babu Upendra Nath Bhattacharyya.	...	1st January. 1889.	75	50—5—100	30 3 0	Ditto
54	Mr. A. Jagadeshan ...	...	15th March, 1915.	...	50—2—70	4 0 17	Typist.
55	Mrs. D. Dean ...	...	21st December, 1915.	...	50—2—70	3 3 11	Do.
56	Babu Hari Nath Biswas.	...	22nd July, 1914.	...	30—2—50	4 8 11	Do.
57	,, Anukul Chandra Chakravarty.	...	21st December, 1915.	...	30—2—50	3 3 11	Do.
58	,, Nirendra Prosad Ghose.	...	Ditto	...	30—2—50	3 3 11	Do.
59	Maulvi Abdus Sobhan	..	1st April, 1917.	...	30—2—50	2 0 0	Do.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

11.

Is it a fact that almost all the members of the staff of the office of the Director of Public Instruction have been favoured with promotions—some more than once, from the 1st April, 1913 to the 1st April, 1919? If so, will the Government be pleased to state the reasons why the cases of the officers in the graded services, Subordinate Educational Service and Lower Subordinate Educational Service, who are required to wait eight years before they can pass through a grade, have not been considered for promotions?

Promot the offic the Dire of Publ Instruct

Answer by the Hon'ble Mr. Goode:—

"Yes. There is a separate cadre for the Director of Public Instruction's office establishment."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

12.

Is it a fact that while filling up the lower vacancies in the office of the Director of Public Instruction preference has always been given to new recruits though many graduates, long in service, have been in temporary or officiating posts? If so, will the Government be pleased to state why their cases have been overlooked?

Filling lower va in the of of the D of Publi Instruct

Answer by the Hon'ble Mr. Goode:—

"The reply is in the negative."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

13.

Will the Government be pleased to state how many officers, if any, from the other offices of the Education Department have been taken into the office of the Director of Public Instruction since the annulment of the partition?

Officers into the Director Public Instructi office fr other off the Educ Departm

Answer by the Hon'ble Mr. Goode:—

"Seven officers from other offices of the Education Department have been taken into the office of the Director of Public Instruction."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

14.

(*a*) Will the Government be pleased to state how many extensions have been granted to Rai Sahib Surendra Nath Singh, the present Personal Assistant to the Director of Public Instruction?

Extensio service t Sahib Su Nath Sin

(*b*) Are the Government aware that the extensions granted to the officers occupying higher posts mean hardship to many? If so, why, having regard to the Imperial Government circular on the subject, has this gentleman been given extensions of service?

(*c*) Will the Government be pleased to state why the pay of Rai Sahib Surendra Nath Singh, Personal Assistant to the Director of Public Instruction, has been raised from Rs. 250 (grade I, Subordinate Educational Service) to Rs. 350?

Answer by the Hon'ble Mr. Goode:—

" (*a*) Three extensions.

(*b*) Extensions of service have been granted to this officer in accordance with clause (*a*) of Article 459, Civil Service Regulations, of which a copy is laid on the table.

(*c*) The Rai Sahib's present permanent pay is Rs. 280 outside the graded service, his permanent post being that of the assistant next in rank to the Personal Assistant. For over a year, he has been holding substantively *pro tempore* the post of Personal Assistant in consequence of the absence on deputation to military duty of the permanent incumbent and his salary in this capacity is Rs. 340."

Article 459 (a) of the Civil Service Regulations referred to in the answer by the Hon'ble MR. GOODE *to question No. 14 (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council Meeting of the 3rd September, 1919.*

459. (*a*) Ministerial officers who have attained the age of 55 may be required to retire, but should ordinarily be retained in service so long as they remain efficient until they come under the provisions of clause (*c*).

* * * * * * * *

(*c*) An officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstances, and with the sanction of the local Government.

* * * * * * * *

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

15.

Promotion of Babu Adwait Rakshit.

(*a*) Is it a fact that Babu Adwait Rakshit has been promoted to grade V, superseding about 70 senior officers in grade VI?

(*b*) Is it a fact that he was also appointed Head Master of the Chittagong School, though there were many officers above him in the grade?

(*c*) Is it a fact that he was removed from this post and made an Assistant Head Master owing to the representations made by senior officers?

(*d*) Is it a fact that he has been again appointed as Head Master of the Khulna Zila School as a special case? If so, will the Government be pleased to state the reasons for this promotion?

Answer by the Hon'ble Mr. Goode:—

" (*a*) In making Subordinate Educational Service promotions in September, 1916, Babu Adwaita Charan Rakshit, then Assistant Head Master, Chittagong Collegiate School, No. 70, in class VI, Subordinate Educational Service, was promoted substantively *pro tempore* to class V with effect from 16th April, 1916, superseding 68 officers above him. This special promotion was given him by Mr. Hornell after a personal inspection and in recognition of his excellent work.

(*b*) and (*c*) In June, 1916, during the absence on leave of Babu Rajendra Chandra Chakrabartti, late Head Master, Chittagong Collegiate School, local arrangements to fill the vacancy, were, as usual, preferred and hence the next in rank on the staff, viz., Babu Adwaita Charan Rakshit was

appointed to act as Head Master as a temporary measure. When in the middle of 1917, the Head Mastership fell permanently vacant owing to the death of Rajendra Babu, it was considered expedient to fill up the vacancy by the appointment of an energetic officer who was a good teacher and a good disciplinarian. Accordingly, the inspectors of schools were asked to nominate an officer of these qualifications. As the result of the nominations received Babu Harpada Mukherji, then a senior officer in class V, was appointed as Head Master of the Chittagong Collegiate School.

Government are not aware whether any objection was taken to Adwaita Babu's appointment as Head Master by officers senior to him.

(*d*) In April, 1918 the Headmastership of the Khulna Zilla School fell permanently vacant by the retirement of its permanent incumbent, Babu Phatik Chandra Chakrabartti. Inspectors of schools were asked to nominate for the vacancy an energetic officer who was also a good teacher and disciplinarian. Of those nominated Babu Adwaita Charan Rakshit, though junior to some, was considered the best and he was accordingly appointed."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

16.

(*a*) Is it a fact that Babu Narendra Nath Ray, Head Clerk, Chittagong College was originally in the graded service, and that he was then transferred to an outside grade on Rs. 60 when he was appointed to a post on Rs 100 within a few years? Promotion Babu Na Nath Ra

(*b*) Is it a fact that he has been only recently again put in a grade vacancy, in grade IV, over the heads of a large number of officers?

(*c*) Is it true that had he been in the graded service he would not have reached grade V at the present moment?

Answer by the Hon'ble Mr. Goode:—

"(*a*) Babu Narendra Nath Roy was originally in class VII of the Subordinate Educational Service. He was not appointed on Rs 60 outside the graded service. From class VII, Subordinate Educational Service, he was appointed direct on Rs. 100 outside the graded service with effect from the 9th January, 1911, as Superintendent of the Office of the Inspectress of Schools, Dacca Circle, as he was considered to be well-qualified to hold that post.

(*b*) He has been promoted to Rs. 125 in class IV, Subordinate Educational Service with effect from 14th September 1918, but not over the heads of a large number of officers. In fact no officer of class V, who might be considered to be deserving of promotion had put in longer service in that class than Narendra Babu had put in on Rs 100 outside the graded service. Further, of the officers on Rs. 100 outside the graded service Narendra Babu was senior to all the rest.

(*c*) If Babu Narendra Nath Roy had remained in the graded service he would have been in class V now; many officers who were junior to him when he was in class VII of the Subordinate Educational Service are now in class V."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

17.

(*a*) Is there any truth in the statement that Babu Kula Bandhu Chakravarty, a matriculate clerk, now Head Clerk in the office of the Inspector of Schools, Dacca Division, passed the 7th grade of the Subordinate Educational Service in about two years' time due to special favour? Case of B Kula Ban Chakrava

(*b*) Is it a fact that this officer has recently been given special promotion from grade VI to grade V, within the course of about two years?

Answer by the Hon'ble Mr. Goode:—

"(*a*) On the nomination of the Inspector of Schools, Dacca Division, Babu Kula Bandhu Chakrabartti, who has read up to the B.A. standard and who at that time was 2nd Clerk in the Inspector's office on Rs. 50 outside the grades was appointed Head Clerk of that office and in class VIII of the Subordinate Educational Service in August, 1911. He was promoted from class VII to class VI in the ordinary course in July, 1916.

(*b*) He was given special promotion to class V with effect from October 2, 1918, over the heads of 59 officers. This special promotion he had thoroughly earned by the very efficient discharge of the particularly onerous duties he has to fulfil."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

18.

romotion of outside ade officer to aded service.

Is it a fact that Babu Arun Chandra Ray, an under-graduate Head Clerk in the office of the Inspectress of Girls' Schools, Dacca, an outside grade officer on Rs. 60, has been promoted to grade V of the Subordinate Educational Service?

Answer by the Hon'ble Mr. Goode:—

"The reply is in the affirmative"

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

19.

spension of omotion to gher grades.

(*a*) Will the Government be pleased to state under what rules the Director of Public Instruction is empowered to suspend any graded officer's natural promotion to a higher grade when there is nothing against such officer?

(*b*) Will the Government be pleased to state the service conditions set out by the Secretary of State for India at the time of sanctioning the Subordinate Educational Service and Lower Subordinate Educational Service cadres?

(*c*) Will the Government be pleased to state under what rules the service conditions of meritorious officers in the Subordinate Educational Service cadre can be suspended by the Government or by the Director of Public Instruction in the way of stopping their promotions to higher grade vacancies?

(*d*) Will the Government be pleased to state how and under what rules an officer having served long in the Subordinate Educational grades can be put outside the grades and his promotion stopped, when there is absolutely nothing against his service?

(*e*) Is it a fact that Babu Joy Chandra Mahalanobis in grade III of the Subordinate Educational Service has been posted outside the grade without his consent?

(*f*) Is it a fact that in grade V there are still about 20 officers who have been there for more than eight years?

(*g*) Is it a fact that of all officers in the grades of the Subordinate Educational Service, the officers in grade V require a stay of more than eight years for promotion to a higher grade?

(*h*) Is there any truth in the statement that this detention in grade V of experienced and meritorious officers is due to many indiscriminate postings of outsiders, outside grade officers and recipients of special promotions in the vacancies of the higher grades, especially in grade IV?

(*i*) Is it a fact that the congestion is mainly due to a disproportionate number of posts in the different grades and to new postings in grades without proper provision in the corresponding higher grades? If so, what steps are being taken for alleviating such congestion?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) No service conditions were laid down by the Secretary of State for the Subordinate Educational Service In the Government of Bengal resolution of the 30th March, 1897, constituting the service, of which a copy is laid on the library table, two principles were laid down:—

(*i*) promotion from class to class will not be determined by seniority alone. Seniority is only one of the conditions which render an officer eligible for promotion. Efficient service in the posts hitherto held, the nature of the appointments in which officers are serving, and capacity to fill posts of higher responsibility, are other determining factors of equal importance, which are to be considered as well as seniority;

(*ii*) promotion of an officer to a post of greater responsibility will not necessarily imply promotion to a higher class on higher pay. An officer's selection for a post of greater responsibility will be an indication of his fitness for promotion at some future time, and in this way he will indirectly be a gainer: and in accordance with these the Director of Public Instruction is competent to withhold the promotion of those officers whose work is not satisfactory or is of a less responsible character.

(*c*) The Hon'ble Member is referred to the reply to (*a*) and (*b*) above Promotions of meritorious officers are not stopped.

(*d*) There are no such rules but in some cases where it was felt that the officers had reached the maximum that their qualifications and responsibilities justified they have been put outside the grades so as to relieve the block in promotions.

(*e*) The reply is in the affirmative.

(*f*) No. There are only two such officers.

(*g*) Officers in grade V of the Subordinate Educational Service have ordinarily to remain in that grade for about six years.

(*h*) and (*i*) The Hon'ble Member is referred to the reply given to question No. 20."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

20.

Promotion and prospects of officers of the Subordinate Educational Service.

(*a*) Is it a fact that under the rules sanctioned by the Secretary of State for India every officer in the Subordinate Educational Service with good service is bound to reach to the top grade before retirement?

(*b*) Will the Government be pleased to state how many years are required by an officer under the present conditions of service in the Subordinate Educational Service, to reach grade V and to reach grade I, if he is a graduate and enters service in grade VIII?

(*c*) Are the Government aware that an officer requires about six years on an average in passing a grade in the Subordinate Educational Service?

(*d*) Is it a fact that the new posts in the grades of the Subordinate Educational Service sanctioned by the Government have got no corresponding proportionate posts sanctioned in the higher grades?

(*e*) If so, what steps are the Government taking against the stoppage of promotions by the younger men?

(*f*) Are the Government aware of the fact that the new appointments created and postings made in grades I, II, III, and IV of the Subordinate Educational Service (especially in the last) as foreman mechanic instructors, lady teachers, lecturers and demonstrators of colleges and upper subordinate teachers, have seriously prejudiced the promotions and the future prospects of graduate teachers who have been occupied in actual teaching work for the last ten or fifteen years in the Sibpur and Dacca Engineering Institutions?

Answer by the Hon'ble Mr. Goode:—

"(*a*) There are no rules of the Secretary of State for India about the Subordinate Educational Service.

(*b*) It cannot be said definitely how many years are required to reach grade V or I starting from VIII. Roughly speaking an officer starting from grade VIII should reach grade V in about 16 to 18 years and grade I in about 25 to 30 years.

(*c*) In the last four grades of the Subordinate Educational Service the average is about 5 or 6 years and in the 1st four grades about 4 years

(*d*) It is a fact that the present grading is unsatisfactory.

(*e*) and (*f*) It is presumed that the Hon'ble Member refers to promotion being retarded by the appointment of young men outside the service direct to higher pay. Lecturers and Demonstrators of colleges, women B.A., B.T.'s and Foremen Instructors of Engineering Institutions, etc., have to be appointed on a higher rate of pay. This is unavoidable but for appointments of this kind new posts on higher pay are created and only in very few cases are actual grade vacancies utilised for making direct appointments from outside on higher pay. It is recognised that the present practice is prejudicial to the interests of those in lower grades but it is hoped to reorganise the service in the near future and the principles on which reorganisation should proceed are being worked out."

By the Hon'ble Babu Bhabendra Chandra Ray:—

21.

eligibility of tain high ool students junior triculation olarships.

(*a*) Is it a fact that under orders of Government or the Director of Public Instruction, students of certain high schools are to be made ineligible for junior scholarships on the result of the Matriculation Examination of the Calcutta University?

(*b*) If so, will the Government be pleased to state the names of all such schools explaining the reasons for such orders in each case?

Answer by the Hon'ble Mr. Goode:—

"(*a*) Yes. These orders have since been withdrawn.

(*b*) A list is laid on the table."

List referred to in the answer by the Hon'ble MR. GOODE *to Question No. 21 (unstarred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council meeting of the 3rd September, 1919, showing the High Schools from which scholarship rights have been withheld under orders of the Director of Public Instruction, Bengal.*

		Date of orders withholding scholarship rights.
1.	Sachar High English School in Tippera district ...	4-4-19
2.	Sonamukhi High English School in Bogra district ...	4-4-19
3.	Farakganj High English School in Noakhali district ...	4-4-19
4.	Chirulia High English School in Khulna district ...	4-4-19
5.	Nalchira High English School in Bakarganj district ...	4-4-19
6.	Haria High English School in Midnapore district ...	4-4-19
7.	Shibganj High English School in Howrah district ...	4-4-19
8.	Saffatola High English School in Mymensingh district ...	4-4-19
9.	Karanjali High English School in 24-Parganas district ...	3-4-19
10.	Chauk-Bochai High English School in Bogra district ...	4-4-19
11.	Chandiprosad High English School in Bakarganj district ...	4-4-19
12.	Boalmari George High English School in Faridpur district ...	4-4-19
13.	Gorabazar I. C. High English School in Murshidabad district ...	4-4-19
14.	Boalia High English School in Tippera district ...	5-4-19
15.	Sankrail Abhay Charan High English School in Howrah district	5-4-19
16.	Rangunia High English School in Chittagong district ...	8-4-19
17.	Masni High English School in Khulna district ...	8-4-19
18.	Ramananda High English School at Kishorganj in Mymensingh district.	1-5-19

By the Hon'ble Babu Bhabendra Chandra Ray:—

22.

Normal requirements of Bengal in food-grains for human consumption.

(*a*) Will the Government be pleased to state the methods by which the estimate that one-fifth of a ton of food-grains is required per head of the population per annum has been arrived at, and when was this estimate first made?

(*b*) What are the reasons for believing that this is an over-estimate, and since when, and by whom has this belief been entertained?

(*c*) Has any inquiry been held for the purpose of ascertaining the exact normal requirements of Bengal in food-grains for human consumption? If so, when, by whom, in what manner, and with what specific results?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The Government of Bengal are not aware how or when first the estimate that one-fifth of a ton of food-grains is required per head of the population in India was arrived at.

(*b*) The reason for believing it to be an over-estimate was its failure when applied as a working formula for deciding the requirements of each province.

It is understood that all provinces which attempted to utilize the formula share this belief: when it was arrived at is not known to this Government.

(*c*) No; but calculations have been made as to the average quantity of rice consumed per head in Bengal."

By the Hon'ble Babu Bhabendra Chandra Ray:—

23.

otal production f food-grains r Bengal uring the last ve years.

(*a*) Will the Government be pleased to make a statement showing the total production of food-grains in Bengal during each of the last five years and the difference between the total export and import thereof in the corresponding periods?

(*b*) Has there been any excess of exports over imports of food-grains in Bengal during the last ten years? If so, when, and by how much?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) A statement is given below :—

	Total estimated production of food-grains, excluding pulses, during the last five years.	Net imports of food-grains during the last five years.
	Tons.	Tons.
1914-15	6,514,000	435,264
1915-16	8,421,000	761,062
1916-17	8,176,000	679,792
1917-18	8,770,000	283,999
1918-19	7,011,000	48,577

No estimate is made of the production of pulses.

No statistics are available for inter-provincial imports and exports by road and by steamer or country boat between Bengal outside Calcutta and (*1*) Bihar and Orissa and (*2*) the United Provinces.

(*b*) A statement is given below:—

	Net exports.†
	Tons.
1910-11*	213,079
1911-12*	543,291
1912-13	177,224

* For Bengal as then constituted, *i.e.*, including Bihar and Orissa but excluding Eastern Bengal and Assam, except in the case of the sea-borne trade statistics which include Bihar and Orissa and also Eastern Bengal and Assam.

† Exclusive of the inter-provincial imports and exports for which figures are not available [*vide* answer to (*a*)] "

By the Hon'ble Babu Bhabendra Chandra Ray:—

24.

lus of -grains in ıal years.

With reference to the statement made by the Hon'ble Mr. Cumming on the 4th July last that in Bengal " there is a considerable, though not a very great surplus (of food-grains) in normal years," will the Government be pleased to state in detail the grounds for this opinion?

Answer by the Hon'ble Mr. McAlpin:—

"The statement was made as regards rice, not as regards food-grains It is based on the nearest approach to an estimate of the daily consumption of rice per individual—man, woman and child—in Bengal which can be obtained, viz., one pound or eight chittaks a day."

By the Hon'ble Babu Bhabendra Chandra Ray:—

25.

With regard to 1917-18 during which, as stated by the Hon'ble Mr. Cumming on the 4th July last, we had "one of the finest rice crops in Bengal on record", will the Government be pleased to state the total quantity of Bengal's export and import, respectively, of rice, during that year? Total expo and import Bengal ric 1917-18.

Answer by the Hon'ble Mr. McAlpin:—

"The figures, excluding those for inter-provincial imports and exports by road and by steamer or country-boat between Bengal outside Calcutta and (*1*) Bihar and Orissa and (*2*) the United Provinces, which are not available, are :—

			Tons.
Exports	...	...	361,074
Imports	...	...	407,749 "

By the Hon'ble Babu Bhabendra Chandra Ray:—

26.

(*a*) With regard to the "different degrees of accuracy attributable to the data upon which such estimates (of the quantities of food-grains available per head) have to be based," referred to in reply to an unstarred question at the meeting held on the 12th August last, will the Government be pleased to indicate the probable elements of inaccuracy, if any, in the matter of statistics relating to (*i*) the total yield of rice, and (*ii*) the export and import thereof, so far as Bengal is concerned, and the probable margin of such inaccuracy? Accuracy agricultura statistics.

(*b*) Is there any reason to suppose that the trade returns relating to export and import as published by Government are inaccurate? If so to what extent, and when was such inaccuracy first suspected or detected in Bengal, and under what circumstances?

(*c*) To what extent can the agricultural statistics published by the Government of Bengal be depended upon?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) There is an element of inaccuracy in the total reported yield of rice in Bengal because a cadastral survey, which would give the correct area under rice at the time of the survey, has not yet been completed for the whole Province.

Further, the reported figures for exports and imports do not include figures for inter-provincial imports and exports by road and by steamer or country boat between Bengal outside Calcutta and (*1*) Bihar and Orissa and (*2*) the United Provinces which are not available. Government are unable to say what the probable margin of inaccuracy is; but cadastral surveys show that the area under rice had been previously underestimated on the average in districts so surveyed by 7 per cent.

(*b*) and (*c*) The Hon'ble Member is referred to the above answer. There is no reason to suppose that the trade returns relating to export and import as published by Government are inaccurate for the particular line of traffic for which the returns are compiled."

By the Hon'ble Babu Bhabendra Chandra Ray:—

27.

The decision to treat Bengal as a surplus province.

(*a*) With reference to the reply to my question at the last meeting regarding the decision to treat Bengal as a surplus province, will the Government be pleased to state the date or dates on which they "submitted their views," though not formally consulted, and the purport of such views on each occasion?

(*b*) With regard to the census of rice stocks held in November last, referred to in the said reply, is it not a fact that the said census was pronounced by Sir Henry Wheeler on the 19th February last as incomplete, and by the Hon'ble Mr. Cumming on the 4th July last as patently incorrect?

(*c*) Beyond the said census, what were the other "facts regarding the situation" upon consideration of which Government were satisfied that Bengal could not be treated as a deficit Province"?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Government are not prepared to give the information asked for.

(*b*) Yes.

(*c*) Comparative prices, estimate of the rice crops of previous years, forecast of the winter rice crop of 1918-19 and information as to the general economic situation in each district."

By the Hon'ble Babu Bhabendra Chandra Ray:—

28.

The meaning of a "surplus province."

Will the Government be pleased to explain what is meant by a "surplus province"? Is the term applicable to Bengal, in so far as it "could not be treated as a deficit province"?

Answer by the Hon'ble Mr. McAlpin:—

"A 'surplus province' is a province possessing stocks of food-stuffs in excess of their requirements at the time. The term was so used as applicable to Bengal in respect of rice, in so far as 'it could not be treated as a deficit province' in the answer to the question to which the Hon'ble Member alludes"

By the Hon'ble Babu Bhabendra Chandra Ray:—

29.

Conferences held at Nagpur and Delhi on the question of food supplies.

(*a*) Are the Government aware of a conference held at Nagpur in August, 1918, under the presidency of Sir Claude Hill, to consider the question of food supplies, and also of a similar conference held subsequently at Delhi?

(*b*) If so, were the Government of Bengal represented at the said two conferences, or were they asked to send any representative thereto?

(*c*) Have the Government any information regarding the decisions arrived at, or discussions held, in the said two conferences, and how the same affected Bengal? If so, will the Government be pleased to make a detailed statement about it?

(*d*) Were any estimates or statements prepared for these conferences on behalf of the Government of Bengal, or was any expression of opinion made in any other form on their behalf at these conferences in regard to the rice position in Bengal? If so, will the Government be pleased to state the purport thereof?

(*e*) Is it a fact that the decision to treat Bengal as a "surplus province" was practically arrived at in these conferences after due regard being paid to representations made on behalf of the Government of Bengal?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes.

(*b*) The conferences were not conferences of Governments, but meetings of Directors of Civil Supplies intended to facilitate the working of the control system. The Director of Civil Supplies, Bengal, attended, with the permission of the Government of Bengal, but not as their representative

(*c*) Yes. Government are unable to make a statement as to the proceedings of a conference held under the directions of the Government of India.

(*d*) A statement was prepared by the Director of Civil Supplies. The Hon'ble Member is referred to the reply to the last part of question (*c*)

(*e*) The Hon'ble Member is referred to the answer given to his question No 18 asked at the Council meeting of the 12th August."

By the Hon'ble Babu Bhabendra Chandra Ray:—

30.

Will the Government be pleased to lay on the table a copy of the "representation made to the Government of India in May last," as a result of which the export of rice from Bengal is stated to have diminished? Export of rice from Bengal.

Answer by the Hon'ble Mr. McAlpin:—

"Government are not prepared to lay a copy of the representation on the table."

By the Hon'ble Babu Bhabendra Chandra Ray:—

31.

(*a*) With regard to the duties of the Director of Civil Supplies, on behalf of the Local Government will the Government be pleased to state what surpervision, if any, is exercised over him by the Local Government in the matter of his discharge of the said duties? Duties of Director of Civil Supplies.

(*b*) What are the methods employed by him in discharging his functions on behalf of the Local Government under clauses (*a*) and (*b*) of the reply to unstarred question No. 19 of the 12th August last? Will the Government be pleased to give typical instances of each case, and state how often these powers have been exercised by him?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Government supervise the work of the Director of Civil Supplies in the same way as they supervise that of any other officer directly responsible to them.

(*b*) The prevention of competitive purchases by certificate holders was arranged by requesting Directors of Civil Supplies, in other provinces, to refuse certificates to persons whose representatives in Bengal bought rashly and by arranging that purchases for a province should be made by a limited number of firms only: thus it was arranged that Sind should buy through three firms only.

The control over movements within the province is exercised by making arrangements with the railways for wagons to be supplied or refused at the various stations or by refusing certificates. A typical instance is the arrangement by which the Assam-Bengal Railway was to move uncontrolled Burma rice from Chittagong only if booked through to stations in those districts of Bengal or Assam where it was required.

To state how often steps were taken of this kind is impossible; much of the work was done by unofficial arrangements with the Railways concerned of which no record was kept."

By the Hon'ble Babu Bhabendra Chandra Ray:—

32.

Grant of priority certificates.

(*a*) With reference to the answer to unstarred question No. 22 of the 12th August last, will the Government be pleased to state the circumstances in which certificates have been altered at the instance of the local Director, and how often they have been so altered?

(*b*) Is the local Director permitted to make any such alteration in the priority certificates on his own initiative? Or, is agreement of the issuing Director an essential pre-requisite for this purpose?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Certificates sent by other Directors are never altered at the instance of the local Director.

(*b*) There are no formal rules on the subject. Alterations are made sometimes at the special request of the issuing Directors and sometimes on the basis of informal understandings previously arrived at with them."

By the Hon'ble Babu Bhabendra Chandra Ray:—

33.

Relations between the Director of Civil Supplies and the Collector of Customs.

What are the relations between the Director of Civil Supplies and the Collector of Customs, in the matter of export by sea?

Answer by the Hon'ble Mr. McAlpin:—

"Licenses for export of rice by sea to Rangoon require the countersignature of the Director of Civil Supplies, Bengal. Otherwise he has no direct connection with the Collector of Customs, who, however, keeps him informed as to amounts exported."

By the Hon'ble Babu Bhabendra Chandra Ray:—

34.

Placing of a maximum limit on the total quantity of rice to be exported from Bengal.

Was any maximum limit placed at any time upon the total quantity of rice which could be exported from Bengal, by sea and otherwise? If so, when, and what was the said maximum?

Answer by the Hon'ble Mr. McAlpin:—

"Not so far as the Government of Bengal are aware."

By the Hon'ble Babu Bhabendra Chandra Ray:—

35.

Census of rice stocks.

With reference to the reply to unstarred question No. 26 of the 12th August last, will the Government be pleased to publish a detailed statistical statement showing the results of the recent census of rice stocks?

Answer by the Hon'ble Mr. McAlpin:—

"Government are not prepared to publish such a statement."

By the Hon'ble Babu Bhabendra Chandra Ray:—

36. Will the Government be pleased to state the various rates at which Burma rice can be sold at the headquarters of the different district towns in Bengal? Rates of Burma rice.

Answer by the Hon'ble Mr. McAlpin:—

"A statement is laid on the table. The apparent discrepancies between the rates in different districts are due not only to differences in local conditions but also to different varieties of rice having been imported or taken as a basis of calculation.

The notice published by the Director of Civil Supplies on the 30th July last, giving the maximum prices per maund fixed for sales of Burma rice by licensed importers, is also placed on the table."

Statement referred to by the Hon'ble Mr. McAlpin *in his reply to question No. 36 (unstarred) asked by the Hon'ble* Babu Bhabendra Chandra Ray *at the Council meeting of the 3rd September, 1919, showing the various rates at which Burma rice can be sold at the headquarters of the different district towns in Bengal.*

District.	Actual rate of sale per maund.		Rate calculated as possible by district officers
	Controlled.	Uncontrolled	
1	2	3	4
	Rs. a. p.	Rs. a. p.	Rs. a. p.
Burdwan	6 2 6	.....	.....
Birbhum	.....	.....	6 9 0
Bankura	6 11 0	.....	.....
Midnapur	.....	.....	6 8 0
Hooghly	.....	.....	6 9 0
Howrah	.....	8 0 0	.....
24-Parganas ...	.....	5 15 0	.....
Nadia	.....	.....	7 0 0 according to 6 9 0 quality.
Murshidabad ...	.....	.....	5 13 0
Jessore	6 14 0	.....	.....
Khulna	.....	.....	6 10 0
Dacca	.....	.....	0 4 0 annas above cost price.
Mymensingh ...	.....	.....	7 10 0 to 7 12 0
Faridpur	.....	.....	6 8 0
Bakarganj	6 8 0 5 12 0	.....	.....
Rajshahi	.....	.....	6 14 0
Dinajpur	.....	.....	6 15 0
Jalpaiguri	.....	.....	.....
Rangpur	7 3 6	.....	.....
Bogra	7 1 6 6 14 0	.....	.....
Pabna	.....	7 2 6	.....
Malda	.....	.....	6 11 0
Darjeeling	7 5 0	.....	.....
Chittagong	.....	8 6 0	.....
Chittagong Hill Tracts	.....	6 4 0	.....
Tippera	.....	.....	7 1 0
Noakhali	.....	.....	8 0 0

Notice referred to in No. 36 (unstarred).

THE following are the maximum prices per maund fixed for sale of Burma rice by licensed importers :—

I.—Rangoon qualities.

	C. I. F. Rs. A. P.	*Ex* Godown. Rs. A. P.
Big Mills Specials	5 8 6	5 13 0
Small Mills Specials	5 10 0	5 14 6
S. Q.	5 12 0	6 0 6
3 Stars	5 13 0	6 1 6
2 Stars	6 0 0	6 4 6
No. 1	6 1 0	6 5 6
Meedong	5 10 0	5 14 6
Mill Sugandhi	6 4 0	6 8 6
16 Parts Cargo rice	5 1 0	5 5 6
5 Parts Cargo rice	4 15 0	5 3 6
Brokens A. Extra	5 11 6	6 0 0
„ A. 1	5 8 6	5 13 0
„ A. 2	4 14 0	5 2 6
„ A. 3	4 1 0	4 5 6
„ B. 1	5 2 0	5 6 6
„ B. 2	4 10 0	4 14 6
„ B. 3	3 14 0	4 2 6
„ C. 1	5 1 6	5 6 0
„ C. 2	4 8 0	4 12 6
„ C. 3	3 13 0	4 1 6
„ A. 4	3 6 0	3 10 6
„ A. 5	3 6 0	3 10 6
„ B. 4	3 4 0	3 8 6
„ B. 5	3 4 0	3 8 6
„ C. 4	3 2 0	3 6 6
„ C. 5	3 2 0	3 6 6
„ No. 6	3 2 0	3 6 6
„ No. 7	2 13 0	3 1 6
Cargo Brokens	2 15 0	3 3 6

For Bassein qualities, as above with the addition of one anna per maund in each case.

II.—Moulmein qualities.

	C. I. F. Rs. A. P.	*Ex* Godown. Rs. A. P.
Shangalya Big Mills Specials	5 10 0	5 14 6
„ Small Mills Specials	5 11 0	5 15 6
Yahine Big Mills Specials	5 12 0	6 0 6
„ Small Mills Specials	5 14 0	6 2 6
Konkgyee Big Mills Specials	5 10 0	5 14 6
„ Small Mills Specials	5 11 0	5 15 6
Brokens	4 2 0	4 6 6
Cargo Brokens	3 0 0	3 4 6

III.—Boiled rice ; Rangoon qualities.

	C. I. F.	*Ex* Godown.
	Rs. A. P.	Rs. A. P.
Long Grained Specials	... 6 9 0	6 13 6
Small Grained Loonzain	... 6 3 6	6 7 6
Millchar	... 6 7 6	6 12 0
Nagatsein Specials	... 6 0 0	6 4 6
„ Loonzain	... 5 12 0	6 0 6
Meedon No. 1	... 6 2 0	6 6 6
Konkgyee Loonzain	... 5 12 0	6 0 6

For Bassein and Moulmein qualities, as above with the addition of one anna per maund in each case.

A.—All licensees must observe the following conditions in future :—

(1) They must deposit in my office a true copy of any delivery telegram received by them from Rangoon within two days of its receipt.

(2) They will not be paid "bitty".

(3) They must engage to sell the rice if so required only to firms nominated by me.

B.—When they have been required to sell the rice to my nominees they will be subject to the following conditions :—

I.—When selling *ex* godown from Kidderpore Docks—

(1) they will be paid 95 per cent. of the purchase price when they hand over the delivery order to the purchaser. Before receiving this payment they must satisfy the purchaser that they have properly insured the rice against risk of fire, etc.

(2) they will bear all demurrage charges, etc., for 21 days from the date when unloading of the ship is completed : if delivery has not been taken within 21 days all such subsequent charges will be borne by the purchaser.

(4) the balance of the purchase price will be paid when delivery is taken, or on the expiry of the 21 days.

II.—When selling *ex* godown from any godown outside Kidderpore Docks they will be paid in full against delivery.

Note.—No guarantee is given that a purchaser will be nominated for any particular consignment of rice imported.

H. P. V. TOWNEND,
Director of Civil Supplies, Bengal.

CALCUTTA,
The 30th July 1919.

By the Hon'ble Babu Bhabendra Chandra Ray:—

37.

tension of edical relief rural areas.

(*a*) Are the Government aware of the recent decision of the Government of Madras to extend medical relief in rural areas by making substantial grants to local bodies for three years?

(*b*) If so, are the Government considering the desirability of taking any similar action in Bengal?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The reply is in the affirmative. Itinerant dispensaries have been tried by the sanitary department in Bengal and have so far proved unsuccessful owing to difficulties of communication and of supervision

(*b*) Government do not propose to take any action in this direction at the present moment."

By the Hon'ble Mr Phelps:—

38.

se of the inematograph diffusing mentary owledge of ygiene, etc., the mufassal.

(*a*) In regard to the suggestion put forward in my budget speech advocating the use of the Kinematograph in diffusing elementary knowledge of hygiene, etc., in the *mufassal*, will the Government be pleased to state whether the same has their approval?

(*b*) If the answer is in the affirmative, what steps are the Government taking in the matter?

(*c*) If the answer is in the negative, will the Government be pleased to state the reasons they have against taking up the suggestion?

Answer by the Hon'ble Mr. Goode:—

"(*a*), (*b*) and (*c*) Government recognize the advantages of visual instruction by means of the cinematograph. The Sanitary Commissioner has already devoted considerable attention to the subject; he is unable to get suitable films prepared in India. In any case, the cost would be very heavy. Government have done a good deal to provide visual instruction in hygiene by means of magic lanterns.

Eighteen municipalities which (1) employ health officers or sanitary inspectors and (2) have *guru*-training schools located within their limits, have been supplied with lanterns and slides for a course of 12 lectures."

The Hon'ble Mr. Phelps, by way of a supplementary question, said :—

"I hope that the Government will not lose sight of what I consider to be a very important method of teaching the ignorant people the elementary science necessary for their comfort and progress. My friends have asked me to press the matter."

The President said :—

"Order, order. If the Hon'ble Member is asking a supplementary question he is not entitled to argue the point."

The Hon'ble Mr. Phelps said :—

"I simply wish to ask whether the Government intend pursuing the subject at an early date."

The Hon'ble Maharajadhiraja Bahadur of Burdwan replied :—

"My Lord, it is not properly a question. Government will consider the matter when examining the whole question."

By the Hon'ble Mr. Arun Chandra Singha:—

39.

Supply to civil courts of price lists of staple food-crops.

(*a*) Are the Government aware that in a suit for enhancement of rent, on the ground of a rise in prices of staple food-crops the Court is required, under section 32 of the Bengal Tenancy Act, 1885, to compare the average prices during two decennial periods and that for this purpose the Court has to refer to the price-lists published by the Government under section 39 of the said Act?

(*b*) Is it a fact that in civil courts in the mufassal copies of the official Gazette in which such price-lists are published, are not always regularly preserved and that the plaintiff is required to file a certified copy of such issues of the Gazette at his own cost?

(*c*) Is it also a fact that for the convenience of Revenue Officers trying enhancement suits under section 105 of the Bengal Tenancy Act, 1885, a complete list of the average prices for 20 years is prepared by the authorities and duly supplied to such officers?

(*d*) If so, are the Government contemplating taking steps for the removal of this inconvenience to the litigants, either by supplying all civil courts with similar price-lists or making any other convenient arrangement?

Answer by the Hon'ble Mr. Duval:—

"(*a*) Yes.

(*b*) Under the High Court rules District Judges are required to preserve in their record rooms a copy of the *Calcutta Gazette* bound in yearly volumes for a period of 12 years, and it is presumed that this rule is complied with.

With regard to the latter part of this question Government have no information on the point.

(*c*) A list showing the average prices of staple food crops for twenty years was prepared in the office of the Director of Land Records, Bengal, and copies of it were supplied to Commissioners, Collectors and Settlement Officers.

(*d*) It is ordinarily the duty of litigants to file in Court certified copies of any documents which may be necessary to prove their case. Under rule 111 in the Bengal Records Manual (pages 24 - 25 of the edition of 1915) District Officers are required to preserve one copy of the Gazette permanently, and, that being so, litigants should experience no difficulty in obtaining certified copies of the lists, or of such portions thereof as may be necessary to their purpose."

By the Hon'ble Babu Akhil Chandra Datta:—

40.

Location of the subdivisional headquarters of the proposed new district of Kishoreganj.

(*a*) Is it a fact that a memorial has been submitted to His Excellency the Governor of Bengal by the inhabitants of Bajitpur, Kaliarchar and other neighbouring villages of the district of Mymensingh praying for the location of the subdivisional headquarters of the proposed new district of Kishoreganj at Kaliarchar instead of Bajitpur?

(*b*) Is it a fact that the merits and demerits of the two places are discussed at length in the said memorial?

(*c*) Have the Government considered or are they considering the arguments advanced in the said memorial in favour of Kaliarchar and against Bajitpur?

(*d*) Have the Government come to any final decision on the question?

Answer by the Hon'ble Mr. Kerr:—

" " (*a*) and (*b*) Yes.

(*c*) and (*d*) The question has been very fully considered on several occasions during the last four years and Government have finally decided that the headquarters should be at Bajitpur."

By the Hon'ble Babu Akhil Chandra Datta:—

41.

ise of a aukidar. With reference to the reply given to my unstarred question No. 39 asked at the meeting of Council on the 12th August last, will the Government be pleased to say whether it is a fact that the Chaukidar submitted a representation to the District Magistrate in which he adheres to his former statements that the man died of starvation and that he had actually been going without food for some days prior to his death?

Answer by the Hon'ble Mr. McAlpin:—

" It has been ascertained that such a representation was made by way of appeal. The matter is pending with the District Magistrate."

By the Hon'ble Babu Akhil Chandra Datta:—

42.

ay of b registrars. (*a*) Is it a fact that the maximum pay of sub-registrars under the commission system before 1880 was Rs. 250 and that their maximum pay under the present system is Rs 150?

(*b*) Are the Government aware that there is a feeling of dissatisfaction amongst the sub-registrars on the following grounds, namely:—

(*i*) that their pay has not been raised although the pay of the provincial services, both executive and judicial, has been raised;

(*ii*) that the minimum pay of the district sub-registrars is lower than that of the sub-deputy collectors; and

(*iii*) that the practice formerly in vogue of recruiting some officers of the provincial service from amongst the sub-registrars has been abolished?

(*c*) Are the Government considering the desirability of raising the pay of the sub-registrars proportionately to the increments which have been allowed in the provincial services?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) Prior to 1880 sub-registrars were remunerated by commission on certain percentages of the fees realised in each office without any maximum limit in practice. According to a list prepared in 1878, 171 sub-registrars

drew under Rs. 100 a month, 21 sub-registrars drew between Rs. 100 and Rs. 150 and 2 drew over Rs. 150, viz., Rs. 152 and Rs. 153 respectively. The maximum pay of a sub-registrar is now Rs. 150.

(*b*) No. The grounds stated are not correct; for the following reasons:—

(*i*) only the pay of the lowest grade of the provincial services, both executive and judicial, has been raised from Rs. 200 to Rs. 250;

(*ii*) the minimum pay of a district sub-registrar is now Rs. 200 a month while that of a sub-deputy collector is Rs. 100; and

(*iii*) in view of the superior qualifications required for the provincial service, the Registration Department is not suitable as a normal recruiting ground for that service; but it is open to the Inspector-General to recommend qualified sub-registrars for the consideration of Government.

(*c*) A scheme for the revision of the cadre of sub-registrars which would improve their prospects was sanctioned in 1918 by His Majesty's Secretary of State on the understanding that effect would not be given to it until the financial situation improves. Proposals for introducing it are under consideration."

By the Hon'ble Babu Akhil Chandra Datta:—

43.

(*a*) Is it a fact that the minimum pay of ministerial officers in all departments is Rs. 30 the only exception being in the Registration Department in which the minimum pay is Rs. 15?

Minimum pay of ministerial officers in the Registration Department

(*b*) Will the Government be pleased to consider the desirability of enhancing the minimum pay of the ministerial officers of the Registration Department so as to bring it on a level with other departments?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The minimum pay of ministerial officers in judicial and revenue offices is Rs. 30 a month in Eastern Bengal Districts and Rs. 25 a month in Western Bengal Districts, while the minimum pay of a clerk in the Registration Department is Rs 20 a month and that of a Muharrir Rs. 15.

(*b*) A revision of the pay of ministerial officers in the Registration Department has been sanctioned by His Majesty's Secretary of State; and it has been decided to give partial effect to the scheme with effect from the 1st March, 1919."

LIST OF BUSINESS—ITEM No. 3.

The Hon'ble Mr. Kerr laid on the table a statement of the result of the inquiry into the case of the arrest of one Shaju Khatun promised in his reply to question No. 16(*2*) (unstarred) asked at the Council meeting of the 3rd April, 1919.

STATEMENT REFERRED TO IN ITEM NO. 3 OF THE LIST OF BUSINESS FOR THE MEETING OF COUNCIL ON THE 3RD SEPTEMBER, 1919.

With reference to paragraph (2) of the reply to question No. 16 (unstarred) put by the Hon'ble Babu Akhil Chandra Datta at the Council

meeting held on the 3rd April, 1919, the result of the inquiry is laid on the table.

One Kajim Mashalchi of Baburchar, husband of Shaju Khatun, the woman in question, was suspected of complicity in a cloth-looting case of Sadarpur police-station in the district of Faridpur. On the 8th February, the circle inspector, who was investigating the case, received information that the woman had left her home on the previous day for her father's house at Maheshwardi, taking with her some new clothes. In so doing she had, of her own accord walked a distance of ten miles, which is not without relevance to the facts detailed below. He caused the house at Meheshwardi to be searched on the morning of the 9th February. During the search, four new *dhoties* were found for which the woman was unable to account. She was then arrested with her children and sent by a sub-inspector to the police-station at Bhanga, some five miles off, in charge of an escort, while the sub-inspector proceeded to search another house. There were blood-stains on the woman's clothes at the time of her arrest, but the sub-inspector made no inquiries about them. On her way to the police-station, the woman began to bleed and was given a piece of cloth by the head constable in charge of the escort to hide the blood-stains. On arrival at the police-station, the head constable gave her soap, with which she washed her clothes. The woman was detained for the night with her children in the lock-up at the police-station. Next morning, the inspector offered to release the children on bail, but nobody was willing to stand surety for them. The inspector then gave orders that the woman and her children should be taken to Talma in a boat and from Talma to Faridpur in a carriage or a bullock cart. The party arrived at Talma about midnight, and as no carriage or bullock cart was available, they proceeded on foot to Faridpur, about ten miles off, reaching that place on the morning of the 11th. On her admission to the jail, the woman complained that she had been assaulted by the police, but the sub-assistant surgeon of the jail who examined her found no marks of violence on her person. That night at 11 P.M. she gave birth to a still-born child, the body being in a decomposed condition. From the state of the body, the sub-assistant surgeon was of opinion that the death must have taken place three or four days before the delivery.

The subdivisional officer, who made a careful inquiry into the matter, found that the woman's allegation that she had been assaulted by the police was unfounded, but that in her condition she was subjected to undue bodily exertion, though in view of the medical evidence, the death of the infant had probably taken place before her arrest. There is some corroboration for this view in the fact that blood-stains were found on the woman's clothes at the time of her arrest. It has also been found that the head constable in charge of the escort made every possible attempt to secure a means of conveyance for the woman from Talma to Faridpur. He also tried unsuccessfully to procure accommodation for her at Talma for the night.

The responsibility for this unfortunate occurrence must be laid on the inspector and sub-inspector. The former states that he did not notice the blood-stains on the woman's clothes, while the latter says that he attributed them to menstrual flow. Both of them, however, questioned the woman while she was in custody, and should have taken steps to satisfy themselves as to her real condition and her fitness to travel to Faridpur. There is no suggestion that they were actuated by any improper motive. Their callousness seems to have been due to sheer lack of care and want of thought. It is, however, this callous exercise of authority which brings the police force into disrepute, and in order to mark his sense of the gravity of their offence, the Governor in Council has directed that the sub-inspector should be removed from the charge of a police-station and degraded for eighteen months. The inspector, whose responsibility was less direct, has been degraded for a year.

LEGISLATIVE BUSINESS.

LIST OF BUSINESS—ITEM No. 4.

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1919.

The Hon'ble Sir Henry Wheeler presented the Report of the Select Committee on the Calcutta and Suburban Police (Amendment) Bill, 1919, and moved that the said Report be taken into consideration.

He said :—

"On the occasion of the introduction of the Bill I dealt at some length with the considerations affecting it, and it is not surprising, in connection with a small measure of this kind, that there is little more to be said on this occasion. The Select Committee met, and again went over the arguments which had been touched upon in Council, relevant to the Bill, and as will be seen from their report, they decided to recommend that the Bill be passed as introduced. One of our members, the Hon'ble Rai Radha Charan Pal Bahadur, has annexed to the report what is described as a note of dissent, but which, I think the Council will agree, is rather in the nature of a few comments and suggestions which may be very briefly met.

After referring to certain provisions of other Acts, he says that he does not desire to raise any objection to clause 2, but only to suggest that any order which affects the public, and not the force only, should receive the sanction of Government. With reference to that I would again point out that the section of the Act which we are amending—as before, I refer to the principal Act, namely, the Calcutta Police Act—is section 9, which does not refer to orders affecting the public but only to orders affecting the force, and therefore the contingency which he apprehends will not arise.

His second comment is that he thinks it should be clearly provided that nothing should be done to restrict the free movement of a suspended officer in obtaining redress. I mentioned that point when the Bill was introduced, and stated that, compatibly with the general direction that they should stop at Lalbazar, facilities were already given to men under suspension to get into contact with any outside legal advisers whom they might wish to consult.

So much for the report of the Select Committee.

It may be remembered that we at one time thought of taking up this Bill at Dacca, but we agreed to keep it over for the present meeting in order to give full opportunity for public opinion, if it desired to do so, to express itself. As regards that we have only received one letter from the Indian Association, and again, I think, the Council will agree that if the objections contained in that letter are all that can be put up by way of criticism, then the Bill is not open to very grave exception.

Apart from that, to the best of my belief, there was only one newspaper which contained a series of some three articles dealing with the Bill, with which, I am given to understand, a gentleman interested in the recent litigation was not altogether unconnected. It may, therefore, fairly be said, as a general statement, that the inhabitants of Calcutta have decided after seeing the Bill, that they can sleep safely in their beds undisturbed by the fears and apprehensions which were voiced in some quarters when the Bill was introduced."

The motion was put and agreed to.

SUPPLEMENTARY LIST OF BUSINESS—ITEM No. 4A.

The Hon'ble Babu Akhil Chandra Datta was to have moved that in the last line of clause 2 of the Calcutta and Suburban Police (Amendment) Bill, 1919, for the word "control" the word "sanction" be substituted.

The Hon'ble Member being absent the amendment was not moved and was deemed to be withdrawn.

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble Sir Henry Wheeler also moved that the Bill, as settled in Council, be passed.

He said :—

"I will only say a word to further reassure Hon'ble Members as to the propriety of substituting the word 'control' for the word 'approbation'. I did not mention the fact on the first occasion, and had intended to do so in connection with the amendment of which notice was given. Since, however, that has not been moved it may interest Hon ble Members to know that our amendment is merely following what already is to be found in the corresponding sections of the Madras and Bombay City Police Acts."

The motion was put and agreed to.

RESOLUTIONS

(Under the rules for the discussion of matters of general public interest).

LIST OF BUSINESS—ITEMS Nos. 6 and 7.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that immediate arrangements be made by Government for opening additional sections of classes in all Government colleges in Bengal, for the accommodation of those successful students who have been refused admission into colleges for want of accommodation.

He said :—

"My Lord, there is a compla'nt all over Bengal for the non-admission of a very large number of qualified students into colleges who have successfully passed the Matriculation, the I. A. and I. Sc. examinations of the Calcutta University. They knock at the door of the colleges and they are told that the allotted seats are filled up. Disappointed students are unable to understand the real reason why they are deprived of the inestimable benefits of University education. Their guardians also feel the greatest difficulty. My Lord, in a province consisting of 45 millions of people, the percentage of literate people is very small, and I consider that it is the sacred duty of the enlightened Government to provide facilities for higher education. The schools in Bengal are sending every year thousands and thousands of successful students to the gates of the University. My Lord, if the colleges under existing arrangements cannot provide sufficient accommodation, some effective steps ought to be

taken at once for the benefit of the students and thus relieve the anxiety of their guardians. My Lord, I sent notice long ago of a question which I intended to ask at the last sitting of the Council to get accurate statistics as to the number of successful students who have been refused admission into colleges for want of accommodation, but the reply to this has been postponed. On a previous occasion I moved Your Excellency's Council regarding the admission of students into the Medical College, Calcutta. I do not feel inclined to-day to dwell upon this important matter. It is not very expensive to open sections of classes in Government colleges for the further accommodation of students. The amount of profit to Government from the collegiate schools of the Presidency College, I mean the Hare and Hindu schools, is more than Rs. 60,000 during the last six years from 1912-13 to 1917-18, but it is a matter of great regret that a large number of successful students of these collegiate schools have been refused admission into the Presidency College. It will take a long time to give effect to the recommendations of the Calcutta University Commission. But the students must not sit idle and waste their valuable time. Financial consideration is a great question with Government, but at the same time, my Lord, let me be frank. I consider that it is the paramount duty of the civilized Government to educate the sons of those who live under their protective wings. With these remarks I commend this resolution for the acceptance by Your Excellency's Council."

The President said :—

"The next resolution on the agenda paper raises substantially the same point as is raised by the resolution now under consideration, and it will be convenient, therefore, if a single discussion takes place now. I shall then put the two resolutions separately from the Chair."

The Hon'ble Babu Surendra Nath Ray then moved the following resolution :—

This Council recommends to the Governor in Council that a committee be appointed to inquire into the difficulties of students in securing admission to colleges and other educational institutions in Bengal, and to recommend suitable measures for providing adequate facilities for their studies.

He said :—

"My Lord, it was said by a great Judge, Sir Barnes Peacock, years ago that the difficulties of a decree-holder begin when he gets a decree. It may be said with equal truth that the difficulties of a student begin when he passes the Matriculation examination or the I. Sc. examination and tries to get himself admitted in one of the colleges, to continue his studies, either in Arts or medicine or engineering. In these days it is easier to pass an University examination than to get admission in a college. I know very well that there are difficulties in the way of admission on account of the large number of boys who pass the Matriculation or the I. Sc. or the I. A. examination, to make room for them all, but I am afraid there has not been any serious attempt to grapple with the situation either on the part of Government or on the part of the college authorities. Let us hope that when the Dacca University will become a reality before the beginning of the next official year, its authorities will endeavour to get over these difficulties in the colleges under their control, and that it will be for the benefit of students of Eastern Bengal desiring to continne their studies in colleges. But I have very great doubts as to whether the opening of a new University will be able to cope sufficiently with the present situation. At the present time there may be some difficulty in making arrangements in those colleges where the tuition leads to a degree in Arts or Law for admission to the I. Sc. or B. Sc. classes, as, besides college lectures, arrangements

Babu S. N. Ray.

have to be made for laboratory work. But as regards pure Arts classes, I mean the I.A. and B.A. classes, arrangements may be made by simply opening new classes and appointing new lecturers or Professors. The initiation in this direction may be taken by Government at once by opening new sections for Arts students as suggested in the resolution of my Hon'ble friend, Rai Mahendra Chandra Mitra Bahadur. I think, so far as Government colleges are concerned, students should be admitted to the maximum capacity of the classes as sanctioned by the University; besides, additional sections should be opened in the various classes, to make room for some of the boys who are now turned away. But the policy adopted is the very reverse of what it ought to be. I would cite only one instance: In answer to certain questions at the last Council meeting we were told that the maximum number of students admitted in the 1st-year class of the Dacca College during the time of Mr. Archbold was 233. This was in 1917, but in the years 1918 and 1919 the numbers admitted were 196 and 191, respectively. We are, however, told that 1917 was an exceptional year. Again, we find that the maximum number of students in the 1st-year class has been fixed at 180, 100 reading for the Intermediate examination in Arts and 80 reading for the Intermediate examination in Science. The reasons given for this reduction are, however, not at all convincing. One would have expected that in these days when the number of boys passing the Matriculation examination has been increasing year after year arrangements would be made to admit larger number of boys in the College Department, but what has been done? The number of students who will get admission has been reduced from 233 in 1917 to 180.

In this country, besides Law, Medicine and Engineering, there is no other useful career open to our young men as they have in Europe or America. The number of seats open in the two Medical colleges in Calcutta or the Sibpur Engineering College, are limited. The struggle for existence has been great. It is, therefore, necessary that something must be done at least to give our young men a proper training to qualify themselves for the different professions, whether it be Arts or Medicine or Engineering. Government might very well say that it does not look well that we should be dependent for everything upon Government help. But the fact is that our people without Governmental aid are helpless, and in my opinion when the Government finds that the parents of Indian boys desire that their sons should be adequately educated the Government ought to be proud of the fact and afford every encouragement and facility, both to the parents and to their aspiring sons.

We should like to know if there is any truth in the report that the Principal of the Presidency College issued a notice to the following effect the other day:—

'Applicants for admission who seek personal interviews do so at their own risk. Those who take up my time by unnecessary interviews will have the fact noted against them on their application.'

I am sure we are all anxious to understand the purport and meaning of such a notice, and why it should be noted against a young seeker of information from the Principal as if he had committed a serious offence. So much for the Arts students. Now I shall say a few words about the students who want to enter the Medical colleges: There was at the last Council meeting a resolution asking Your Lordship's Government for the appointment of a committee of officials and non-officials to inquire into the methods followed by the authorities in the matter of selection of candidates for admission into the Calcutta Medical College at the beginning of the current session. After hearing Sir Henry Wheeler on the resolution I thought I would not be justified in taking up unnecessarily the time of this Council in

discussing about the admission of students to the Calcutta Medical College. But, unfortunately, we are bound to state, for the enlightenment of Government, that various are the rumours that we have been hearing for the last five or six years as regards the methods adopted by students and the ways, by the adoption of which alone, students could get themselves admitted in the Calcutta Medical College. It may be that the rumours are exaggerated, that they are even unfounded and quite incorrect. Boys, they say, have been driven not only from pillar to post and from post to pillar trying to obtain admission, but we all remember how a candidate for admission into the Calcutta Medical College died by knocking his head against a tram line post while getting down at Kidderpore to go to the house of a clerk of the Medical College in order to secure his good offices to get an admission. I was told the other day by a well-known medical man of Calcutta, himself a Professor in a Medical College, that the claims of boys who had taken up such subjects as Physiology, Chemistry and Botany in the Arts examination, with the main object of getting themselves admitted in the Calcutta Medical College, were passed over, with the result that their study of these subjects should be practically useless. We fully appreciate the views of the Hon'ble Sir Henry Wheeler that some discretion ought to be left to the Principal of the College in the matter of admission, but, I think, it is the duty of Government when complaints are openly and systematically made, at least to ascertain how far the complaints are justifiable by facts. I was told that of nearly 2,500 candidates for admission in the Medical colleges and the Medical School in Calcutta only about 400 could get admission, the rest were practically thrown on the streets. People naturally look up to Government for providing greater facilities to the students who wish to enter the Medical colleges and school.

With reference to the admission of boys to the Sibpur Engineering College, I think the rules as to age debar a large number of them from getting themselves admitted. It is for the Governing Body of the institution to modify the rules and admit as many boys as practicable.

That the Government can, if they so desire, do a great deal with reference to the admission of boys admits of no doubt. It is only the other day that the Hon'ble the Maharajadhiraja Bahadur of Burdwan, after personal inspection of the Dacca School of Engineering, made arrangements for the admission of 20 more boys to that school and has ordered the appointment of two more teachers. A little sympathy with the needs and requirements of the student class would go a great way to solve the problem of admission of boys to the different colleges of Bengal. Whether there is scope for admission of more boys in the different colleges at the present time, and if not, what steps it will be necessary to take in order to admit more boys, is one, I think, which a committee will be able to formulate."

The Hon'ble Babu Siv Narayan Mukharji said :—

"My Lord, any one passing by the many colleges in Calcutta or in the mufassil during the first fortnight after the publication of the results of the Matriculation and the I.A. and I. Sc. examinations must have noticed the knots of anxious-looking students, who, like so many "disconsolate angels at the gates of Paradise", have, during the last few years, unsuccessfully clamoured for admission. There would have been nothing to evoke our sympathy or excite our feeling if these flotsams of the University had, like so many jetsams, been washed ashore and, after being for a while the playthings of the winds and the waves, succeeded at last in reaching the goal. The alarming increase in the number of students in colleges and schools, the absence of even so much as elbow-room in the college classes, and, what is worst of all, the laying of an embargo, in Government colleges, on the admission of students other than those of transcendent merit, are causes that have

operated, in late years. to render the lot of ordinary students uncommonly hard. I am connected in some way or other with the management of a number of schools and a second class college, and I have personal experience of the difficulty encountered alike by the Matriculates and the Intermediates in securing admission, not only to the several Arts colleges, but to the Medical and the Engineering colleges, as well. I have been a witness to the lamentable way in which students, burning with a desire to continue their academical career, after being driven from pillar to post, had to give up their life's sole endeavour—their quest of the Holy Grail—and pass into the silent life of the humble scribe. Jealously upholding its prestige as the premier college in Bengal, the authorities of the Presidency College take especial care to admit only students whose names figure on the front page of the pass-list and who may exhibit potential qualities capable of taking them through the next ordeal with flying colours. The other colleges, aided and unaided, besides being few in number, are handicapped by the University Regulations in the matter of admissions.

Five hundred and eighty-six is the approximate number of high schools in Bengal. These schools sent forth over 10,000 matriculates last time to be accommodated in 34 Arts colleges, first and second grade, and 2 or 3 Medical and an equal number of Engineering schools. Deducting about 20 per cent. or one-fifth of the total number, on account of those that did not proceed further. and making allowance for the 500 or so who took up medicine or engineering, each of the Arts colleges was required to make provision for admitting on an average 237 matriculates in the 1st-year classes. Similarly, each of the 34 first-grade colleges was required to provide for over 200 I.A.s and I.Sc.s in the 3rd-year classes. It has, however, been computed that about 5,000 students have this year been left out in the cold quite unprovided for. Are we not, under the circumstances, justified in saying that in the matter of admissions the colleges have miserably failed to rise to the height of the occasion, and have rendered a miserable account of themselves as educational institutions? 'Many were called, few chosen'—these are the words that involuntarily start to our lips as we endeavour to find the cause of the present educational discontent. And yet, in the face of so much heart-burning caused by the names of nearly half the number of successful under-graduates being placed in the Index Expurgatorium for no other fault than that they failed to score exceptionally high marks in the lottery of University examinations, the University has laid another embargo on education by raising examination fees. Is this not a case, my Lord, in Lord Churchill's memorable language, of 'the forest lamenting that Mr. Gladstone may perspire'? And is it not, I ask, time the authorities should look the situation squarely in the face? Not the authorities alone, but the worthy citizens as well of this no mean city should contrive to open wide the portals of University education by founding more colleges and widening the avenues leading to the temple of learning. The University ought to remember that as hosts it has a duty to perform towards its guests, the young hopefuls, already bidden to its boards, and hungering and thirsting after intellectual food and drink. It ought also to remember that in shutting the doors of its banqueting halls on them it but transgresses the rules of hospitality and starves the minds of the rising generation. Ample provisions are being made at the expense of these unfortunate students for the post-graduate classes, and it was only the other day that this Council passed the Primary Education Bill. We are, therefore, going to provide for the foundation, on the one hand, and the topmost storey, on the other, while the main body of the structure is going to be allowed to take care of itself. Is it not time, my Lord, I again respectfully ask, that the long arm of Your Excellency's Government should intervene and afford relief to the many thousands of disconsolate young men who are every year denied admission to

the many Arts colleges in this province? And I pause for an encouraging reply.

In common with every humble father of a family, I feel no hesitation in supporting a resolution which echoes the feelings of the entire province."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I fully share the anxiety and the concern felt by my educated countrymen as to the difficulties with which our students are confronted when they find their names in the list of successful candidates either at the Matriculation or I.A. examination. Some of them are fortunate and lucky to get themselves admitted in the colleges, but a large number, at any rate a very considerable number, of those boys find themselves in actual difficulties by not getting accommodation in the colleges. To prove this fact figures are not at all necessary. The number of successful candidates at one of these examinations and the number of seats available in all the colleges put together will show that the colleges cannot accommodate all these students. This is a serious difficulty and must be solved, and solved without any further delay. But I am afraid I cannot join my friends in asking either for the opening of additional classes or for the appointment of a committee to inquire into the matter. In the first place the opening of additional classes in our colleges will only postpone the difficulties to a later date. The boys will no doubt get admission in the colleges, but after they pass their B.A. or B.Sc. examination they will find themselves again in the same position as they found themselves when they passed their Matriculation. I do not think the appointment of a committee will serve any useful purpose, as past experience has shown that this will lead to considerable delay and will cause not a little expense to the State. The results of their deliberations are considered by Government and then Government decide on their report. In this case, I think the Government, with the expert opinion they have at their command, can very easily come to a conclusion without the formation of a committee.

I would, my Lord, suggest a solution for the consideration of Your Excellency's Government. Some time back in this Council a resolution was moved by my Hon'ble friend Mr. P. C. Mitter—in fact it was an amendment to my resolution which was accepted by Your Excellency's Government—for the opening of technical and industrial schools all over the province. If we can afford to have them, and we can do so with very little expense, the opening of additioual classes will practically mean the opening of new colleges. If we can afford to have industrial and technical colleges all over the province, the congestion will certainly be relieved, and it will also serve a very useful purpose as it will materially improve the economic situation. There has also been another suggestion made for the opening of Medical schools, and if these two projects be taken in hand, I think much of the difficulty will be removed. We have been told that we have to look to Government for all our educational needs. Although we have to depend upon Government to a great extent it cannot be said that my countrymen have failed to lend their services and to exert themselves for the advancement of education. A large number of private colleges and endowed colleges have been established and are being run in this province. Government have to afford relief first and the people will follow suit, and if Government take up the work of starting Medical and Industrial schools, I am sure my countrymen will follow suit and supplement these institutions by private ones of their own, and this will greatly remove the difficulty which is felt by us at the present moment and at the same time open new avenues of employment for our boys and it will be better than leaving them as dissatisfied and unprovided graduates of the Calcutta University."

Mr. P. C. Mitter.

The Hon'ble Mr. P. C. Mitter said :—

'My Lord, I desire to draw the attention of the Council to a very important aspect of the question—an aspect which it is well-known is often overlooked in practice though not in theory both by Government and the public. In theory, the public and Government agree that the policy of increasing mere literary education should not be pursued, but in practice an opposite course is always followed. My Lord, in this connection a comparison of the state of collegiate education in Bengal and Great Britain seems to be very helpful. Our population is almost equal to that of Great Britain, but according to last year's figures we have about 26,000 collegiate students in Bengal. In Great Britain last year the number of such students was 16,000—and this decrease was perhaps due to the war—but in normal times the number was equal to the Bengal number. In Bengal we have mere literary education and theoritical scientific education, in Great Britain they have about two dozen technical institutions and about 20 medical institutions, and although agriculture not very important for Great Britain, they have about eight agricultural colleges. Then as regards mere literary education, the avenues of employment open to the young graduates of Great Britain are immeasurably superior to those which are open to the graduates of Bengal. Now if Great Britain with all its wealth and all its opportunities is content with 26,000 undergraduates, it is really surprising that my countrymen should ask for more literary education. I am glad to find that in theory they do not demand it but in practice we find that it is constantly pressed before the Council that more literary colleges should be opened. During the last few years one literary college has been established at Rangpur and another at Faridpur, and I understand that attempts have been made to establish a literary college at Bagerhat and my hon'ble friend Rai Radha Charan Pal Bahadur desires to press upon Your Excellency's Government to provide funds for the opening of another literary college at Howrah. I sympathise with the desire for more education, but one object is to fit these young men for useful vocations of life. It will not do either for my countrymen or for Government to express a pious desire in not pursuing a policy of mere literary education, and for that reason principally I am sorry to say I have to oppose both the resolutions. But it will not do for Government merely to remain idle on this question. I am aware that there is the Report of the University Commission which has got to be considered. The University Commission raises large questions which require large sums of money, and in the meantime unless we take certain active steps which it is possible to take without spending large sums of money, matters will become very much worse when Government will be in a position—if it ever be in a position—to carry out actively all the recommendations of the University Commission. My Lord, I desire to make some practical suggestion. I suggest that pending action taken on the University Commission's Report, we might make more openings, with fairly modest expenditure, by the establishment of more medical schools. In this connection, I desire to state that Government last year agreed to open a new medical school at Burdwan, and we are all grateful for that, and it is possible to do more. It is also possible for Government to give more facilities for workshop training, and in that connection too the Government have already provided facilities for training 50 men in the workshop at Kanchrapara, and it is urgently necessary to do more. Then on the question of agricultural education, it is possible to do something on practical lines. I am sorry to say that, in a province like Bengal, we have no agricultural institutions, and at the same time I am conscious of the fact that agricultural education in provinces where such institutions exist have not been very successful in the sense that the graduates or students who pass out of agricultural institutions always find it difficult to get a vocation and they have to drift either to Government service or to other vocations of life. The principal reason is that these institutions have never taken note of the

existing conditions of life in our country. Our country is a country containing a mass of illiterate cultivators. It is necessary to create a link between the agricultural experts of the Government Agricultural Department and the ignorant ryots, and this can only be effected by taking note of the existing conditions of life in Bengal. The whole of Bengal is parcelled out into a number of zemindaries and within these zemindaries we have zemindars' agents who exercise considerable influence. If we have some sort of institution where we can give adequate training for a zemindari officer who will, at the same time, be sufficiently trained in agriculture to assimilate the results of improvements in scientific agriculture, I believe we shall find in these men a link between the ignorant ryot and the agricultural expert, I think the Agricultural Department will be able to do a lot with a minimum of expense. What can the Agricultural Department possibly do with one inspector for a district of 2,000 or 3,000 square miles or for the matter of that half a dozen?"

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"May I rise to a point of order? We are now discussing the question of the admission of students into colleges and not the question of medical or agricultural education."

The President said:—

"On that point the Hon'ble Member is perfectly entitled to put forward alternative suggestions against this resolution which he thinks preferable, such as the increase of agricultural education, and so on. But I would ask the Hon'ble Member not to travel too widely over that ground, though strictly speaking he is at present in order."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, my object was to explain matter so as to make my position more clear. I bow to Your Excellency's ruling and I will not pursue it too widely, but if the Hon'ble Member feels interested in the scheme, I shall be very happy to discuss it with him, if he so desires.

My position is simply this that it will not do to wait indefinitely, and that it is urgently necessary that some active steps should be taken at once to provide for useful vocationary education."

The Hon'ble Babu Kisori Mohan Chaudhuri said :—

"My Lord, I think there is unanimity of opinion that arrangements should be made for more educational institutions. A large number of students are coming out successful every year in the Matriculation examination, but adequate arrangements have not been made for their accommodation either in the colleges or elsewhere. There is no doubt that it is very desirable that additional arrangements should be made for agricultural, technical and industrial education, for literary education is not enough. When this is done, the [illegible] education will find outlets for their energy. But because we have to [illegible] that is no reason why we should stop the [illegible] of

education in the general line. We are grateful to Your Excellency for your sympathetic pronouncement made the other day at Dacca that at an early date additional arrangements would be made for the spread of medical education. There are demands for such an education, and there is need for the employment of such educated persons. It is only for Government to make additional accommodation for that education, either in the higher or lower standard. That will afford a good opening for a large number of persons, but there is one thing to be remembered even also having that in view, which is this : It is now admitted that the Matriculation standard is not up to the mark and the recommendation of the University Commission is that the I.A. or I. Sc. should be the final stage of secondary education. It is for this reason, I think, that the opening of additional classes, wherever necessary, would go a great way in helping the cause of education—medical, industrial, or agricultural. Until proper arrangements are made for the opening of agricultural colleges or schools in different centres or for industrial education at least the ground-work should be made more suitable in the existing colleges for general education to the acquisition of such technical knowledge in the future. The opening of additional classes for the I. A. or I.Sc. is not a difficult question, and, I think, Government will not have to spend too much for the purpose. An additional class for 100 students can be managed by two professors. The uniform rate of fees now is Rs. 6 a month. If two additional classes are opened for the I.A. and I.Sc., I believe three or four professors will do, and in each class there will be an income of Rs. 600. which will not only go towards the pay of the additional professors, but will also pay for hiring houses for the accommodation of students and for other needs. There might be some difficulty about hostel accommodation, but that can be arranged by hired houses. So far however as additional classes are concerned additional building accommodation might be necessary, but for that also, I think, that if arrangements be made for the holding of these additional classes, either in the morning or in the evening, the difficulty may be obviated to a certain extent. At any rate it is urgently necessary that some arrangements should be made. My hon'ble friend Maulvi Abul Kasem thinks that if we make additional accommodation and turn out more students, we will be faced with the difficulty of providing employment for them, but the progress of education is necessary, and if for that purpose additional necessities arise, the solution is there. Mere literary education is not enough and other arrangements should be made for technical instruction. Simply because we are not in a position to provide employment for the growing numbers, that cannot be any reason why the progress of education should be stopped. Whether a committee would be of any use or not, it is for the Government to consider, but at any rate, I beg to submit, additional arrangements should be made for the progress of education which ought not to be hindered or stopped for any reason whatsoever."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, I would not have ventured to take part in this debate, had it not been for the fact that two of my friends, the Hon'ble Maulvi Abul Kasem and the Hon'ble Mr. P. C. Mitter have thought it fit to oppose this resolution. My friend the Hon'ble Mr. P. C. Mitter opposed this resolution with considerable warmth and vehemence, but that is perhaps my friend's usual style, and I do not think that his opposition is as keen as it apparently appears to be. My hon'ble friend Maulvi Abul Kasem in opposing this resolution has, for the moment, forgotten the special needs and requirements of the Muhammadan community. I rise to support this resolution not merely for the sake of emphasizing the fact that the difficulties in the way of students getting admission into schools and colleges constitute a real grievance, but that these difficulties are particularly acute in the case of Muhammadan students. This

Maulvi Fazl-ul-Haq.

year, immediately after the Matriculation results were out, I circulated a notice to the various colleges in Calcutta asking such Muhammadans as failed to get admission into the colleges to communicate with me. My object was to find out by way of a rough estimate the number of Muhammadan students who failed to secure admission in the colleges. I found from the number of students who came to see me that no less than 162 or 172—I forget the exact number, but it was considerably over 150—who communicated to me the fact that in spite of their most earnest endeavours they had not been successful in getting admission into any of the colleges in Calcutta. One can guess from this the number of Muhammadan boy students who have failed to get admission, and from that an idea can be gained of the number of students who have to give up their studies for want of accommodation in existing colleges. The question, therefore, arises, and it is an admitted fact, that the present accommodation in colleges happens to be insufficient—whether the failure of the students in getting admission into colleges is to be considered a curse or a blessing.

Two of my Hon'ble friends who have opposed this resolution have in a manner indicated that they look upon this fact as a blessing to the country, and that for a country like India where the people refuse to take to technical education or to any kind of education other than mere literary education, it is something of a God-send that the doors of colleges are shut upon the students; that if not from inclination at least from necessity, our countrymen will be driven to qualify themselves not as mere B.A.'s or M.A.'s but as experts in craftsmanship if they take up careers other than those which are open to men who have received a mere literary education. I admit that there is some force in these arguments and something to be said for the view that has been put forward, but I ask my hon'ble friends whether, before any student takes to technical education, it is not necessary that he should receive a certain amount of general literary education in order to enable him to take advantage of the education imparted in technical institutions in this country. My Lord, Mr. Mitter has told us that there are 26,000 under-graduates in England—about the same number that there are at the present moment in Bengal—and he asks us to consider whether it is proper that we should ask for more colleges when the people of the United Kingdom do not, in spite of the fact that the number of under-graduates there practically equals the number of under-graduates in this country. I am not prepared to discuss the statistics with my friend, Mr. Mitter, nor do I think I am called upon to consider whether in looking at the figures he has not made any mistake, but I take the figures as he has quoted them; but I would ask him to consider that although the number may be 26,000, or rather more, those of the students in that country who go to technical institutions are really equipped with a much larger amount of literary knowledge than most of the under-graduates in this country. What I mean, my Lord, is this: that although a man in the United Kingdom may not have been able to enter any of the colleges, still he possesses, for reasons I need not discuss, a fund of general knowledge which enables him to follow the education given in technical institutions better than any student in this country. We all know the scant education which matriculates in this country get, and unless a student has attained a standard which we call the I.A. standard he cannot be called fit to enter the medical profession or go to any of the technical institutions that at present exist in this country. The point I would like to emphasize is this: that before we can insist upon technical education, if technical institutions are started all over the country, some amount of literary education should also be given to the pupils and that the present system of shutting out a large number of students should be stopped. As regards the Muhammadan students I would remind the Hon'ble Maulvi Abul Kasem that he also joined me in my prayer to Your Excellency's Government for another Muhammadan Arts College in Calcutta; my friend corrects me by saying he has always supported my prayer for one more Muhammadan Arts College in Calcutta. Well, let it be one more Muhammadan Arts College, that is to say, to find an outlet for about 300 or

400 students. If we were justified in asking Government to let us have a college for 300 or 400 students, how does my friend justify his attitude in opposing these two resolutions which are of a general character and which will bring relief not only to Hindu students but also to Muhammadan students. On behalf of the students of my community, as well as in the wider interest of the student community in general, I beg to accord my hearty support to this resolution."

The Hon'ble Mr. Dunn said :—

"My Lord, the first of these resolutions asks that additional sections should be opened in Government colleges in order to provide for those matriculates who have not been able to get admission into colleges in Bengal. The second resolution asks that a committee of inquiry should be appointed to examine the general question of the admission of successful matriculates into colleges. The first two speakers will not, I hope, expect me to deal with all the details which they have raised in their remarks. The other speakers have raised large and important issues which I cannot possibly deal with at this stage, but I would like now to refer the Hon'ble Mr. P. C. Mitter to the proceedings of the last Council meeting at Dacca in which the establishment of an agricultural institution was stated to be under the consideration of Government.

So far as the two resolutions are concerned there is the underlying assumption that there is no adequate provision in colleges in Bengal for the number of boys who leave high schools and are successful in the Matriculation examination. That is the underlying assumption, and the first resolution asks that we should proceed to open additional classes in Government colleges, in order to meet what is a general demand. Now, if the very sombre picture which the first two speakers have painted is an accurate one, it would be obviously impossible to meet the large general demand by opening additional sections in the classes in the comparatively small number of Government institutions. But what are the facts for the whole of Bengal? The specific question which has been raised by various speakers deals with certain areas and with certain localities. We must look at this problem as a whole and the facts are as follows :—

In the year 1918 the number of boys who passed the Matriculation examination successfully was 7,758. I find that at the end of the academic year 1918-19, that is, after a period during which successful matriculates are admitted into colleges, the number of 1st-year students in colleges, Government and private, was no less than 6,108, and the number reading in certain special institutions was no less than 830, giving a total of 6,938. It is a simple calculation, resulting in the astonishing fact that no less than 90 per cent. of our successful matriculates are accommodated in some form of a collegiate institution or other. If it is necessary to give these figures for the I.A. and I. Sc. students, I wish to state that the number of those boys who passed their Intermediate examination was 3,658 and the number of students who joined the 3rd-year class after that examination was 2,396, again giving a percentage of 90 per cent. of the boys who are actually accommodated in institutions. Now, these figures appear to be very convincing, and, I think, they are convincing. But what about Government institutions? I take it the first two speakers have this specially in their mind. The facts for these institutions are as follows : in Government colleges there were 1,814 applications for admission ; of that number no less than 1,617 were admitted. I speak now of matriculates and I would like to point out to the gentlemen who have spoken in favour of these two resolutions that there are at present in the Krishnagar College no less than 48 vacancies in the 1st-year. Those rejected were 797. From the percentages which I have given it would

appear that the majority of those boys have found accommodation in other colleges. I do not regard it as at all serious that not more than 10 per cent. among all these boys did not desire to prosecute their studies as many of them seek employment immediately after leaving school. It is perfectly obvious that there must be competition for places in the best colleges of Bengal. That competition exists in Europe, to which frequent references have been made by various speakers. Boys whose parents desire their admission in public schools have their names entered before they leave preparatory schools and the necessity of early application does not end there. It will be impossible for the Government of Bengal to provide such college accommodation as would meet all classes of application. But, as I have already pointed out, from the general figures, those boys who do not get admission into Government colleges are able to get admission elsewhere. If we are to proceed to open additional sections in classes in Government institutions to meet what is called an immediate demand it would involve the Education Department in large building operations and in the addition of an extra staff and the demand would be one increasing as a recurring series from year to year. I would like, however, to refer to what is perhaps at the root of these complaints. It is unquestionably the case that boys who wish to secure admission into colleges have to leave their homes and in many cases go to alien districts amongst alien people. That difficulty it is very hard to see how to overcome, but I would refer to the Calcutta University Commission's Report in which there is foreshadowed a system whereby intermediate instruction will be provided nearer the homes of boys in districts of Bengal. More than that I need not say at this stage.

In conclusion, Sir, I do not consider that it is practical or even necessary that we should attempt to open special classes in Government high schools at this time, nor do I think it is advisable to have a committee to inquire into this matter. The Calcutta University Commission's Report will give rise to as many committees as the energy of the Education Department will be able to undertake and it is certain that these questions will be further examined in the process of that inquiry. For these reasons I do not see my way to support either of these resolutions."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, after the Hon'ble Mr. Dunn's presentation of the figures very little will be necessary by way of explanation but as representing the University I ought to claim, and I claim emphatically, that the University has never been unmindful of the necessities of the situation. It is as well, however, that these resolutions have been moved and the complaints examined answered; but one fails to understand how resolutions like this, and in this Council, could sufficiently meet the situation, if there is anything to be done. It is not a question of Government colleges alone—a large number of our colleges are private institutions and, therefore, nothing that Your Excellency's Government might do by way of appointing a committee or otherwise would touch the situation unless you were prepared to finance the private colleges towards better accommodation and larger staff. I am glad that the figures for last year have been collected and placed before the Council. What the University had been uniformly doing, when I was in charge and I think is doing still, is to prepare a weekly statement during the season of admission of students and to communicate with different colleges asking them for statements of vacancies in the different subjects in which they are affiliated. From these statements an abstract is prepared and placed on the notice board in the Senate House indicating where vacancies and in what subjects were available. We cannot expect to have a college everywhere for teaching every [illegible] for which a student has a particular fancy. The difficulty will

the difficulty so far has been that students do not always choose subjects according to their capability and future requirements, but sometimes according to fancy. The other difficulty which is not generally known but which, I think, must definitely be stated, is that our students sometimes apply to as many as three colleges for admission at once, the Presidency College being, of course, the favourite. I can understand their desire for entering the Presidency College; it was my own college. They would probably apply to the Scottish Churches College as a second string and probably to the Ripon or Metropolitan or Bangabasi College as a third string. Well, that probably accounts for the residuum which Mr. Dunn has not been able to account for, leaving alone the medical institutions and occupations of life, which absorb a considerable proportion of our matriculates. The University does all it can to see accommodated those who have matriculated. From that point of view the arrangement described above was undertaken and we could always tell students where a vacancy was. But this is a matter which no one can control and I do not think that the University can be blamed in the way the Hon'ble Babu Siv Narayan Mukharji attempted to do, because it has never been unmindful of the situation. I shall not speak of the fees and the post-graduate studies now. Calcutta is fairly full of stories and rumours and comments. Unless, however, we have a good strong post-graduate class neither primary nor secondary nor University education can be improved, for you require a large number of teachers who must be trained in the post-graduate classes and also in training colleges which Your Excellency's Government is providing. Without that portion of the University machinery educational work will be at a stand still. I do not mind criticism about abuses. But the direct point of view must never be forgotten by a certain section of the community. As regards the question of fees, there again the matter is delicate and in connection with the debate the introduction of the question is unnecessary. I would ask Members carefully to consider the needs of the situation for there is, the other side of the question too. I do not wish to be drawn into a discussion whether it is advisable to have more than 26,000 graduates here as in Great Britain as the Hon'ble Mr. P. C. Mitter attempted. Hon'ble Mr. Fazl-ul-Haq has pointed out that without some general education our boys cannot be given any particular technical education, agricultural, commercial, medical, etc. We cannot have a number limit of the kind that Mr. Mitter seems to suggest, and we hope we shall never have it. It is, of course, well-known that English men do not generally think of a University career in the way that our boys do here. Many careers and openings invite them and University prospects are not their sole objectives for reasons that will be obvious to all. The whole suggestion is beside the issue and need not be seriously controverted."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, when I put this resolution before the Council I was labouring under the impression that the resolution will meet with the approval of the Government. I find that my resolution has touched on points which are not relevant to the question at issue. I have brought to the notice of the Council that in Government colleges a large number of successful students are not admitted and, therefore, some sort of accommodation ought to be given to them. I find that a discussion has been made as regards encouragement of education in industrial and agricultural schools. I have submitted already in my speech that these are large questions and if there would have been agricultural and industrial schools in existence at this time probably I would not have come to the Council with a resolution like this. We have got the recommendations of the Calcutta University Commissioners and we look to the day when their recommendations will be accepted by this Government and the Supreme Government, with modification but how is the difficulty to be solved at the present moment? If there had been agricultural institutions these students might have been [illegible] them, so, with regard to

industrial institutions, if they were in existence students would have been admitted into them. But granted that there are no industrial schools or agricultural schools, should not facilities be given to the students to get admission into Government colleges? That is a question which the Hon'ble Members would have to consider. As a matter of fact, it cannot be denied that these students do not get admission in Government colleges and my proposition before the Council is that they ought to get admission. Suppose there is a Government college in a distant station and suppose 80 boys are refused admission in that college, are we to be told by Government that they must find accommodation elsewhere, in Calcutta and in private colleges? It is for the Hon'ble Members of the Council to consider the difficulty in which students are placed. I do not like to discuss the question of the encouragement or discouragement of literary education or the encouragement or discouragement of industrial or agricultural education. I have nothing to do with that at present. I submit for the consideration of the Hon'ble Members that Government ought to give facilities to the students who have not been admitted into Government colleges and that it is the only point which I submit for discussion and consideration of the Members. My proposition is a very comprehensive one. I have taken into consideration the claims of the Muhammadan students, the claims of the Hindu students, and there is one united voice in the mufassal that these students ought to be accommodated in Government colleges. As I submitted to Your Excellency when moving the resolution that statistics have not been supplied to me when I put a question to the Council but whether the number is small or great, the question is whether the Government or the Educational authorities are in a position to incur expenditure for the benefit of these students? I am told by the Government Member in charge that no additional classes are to be opened in the Government colleges. What will these students do? Are they to run about in the street or are they to sit idle? That is a question which the Hon'ble Members will have to consider. The difficulties are very great: I speak on behalf of the mufassal students in this Council. I dwell upon the result of inquiries that great difficulties are felt by them. My Lord, I do not think it necessary further to discuss the question in the Council. I know very well that the Hon'ble Members—both official and non-official—will consider the practical difficulties in which these students are placed. My Lord, I have nothing more to say. I hope that the Hon'ble Members will kindly consider the resolution which I have put forward before them deliberately and advisedly.

The Hon'ble Babu Surendra Nath Ray said:—

"My Lord, after hearing Mr. Dunn that about 90 per cent. of the matriculates get admisssion in the 1st-year class of the colleges, whether private or Government, and that about 90 per cent. of the boys who pass the Intermediate examination in Arts get admission in the B.A. classes, I do not think it proper to take up unnecessarily Your Excellency's time. But there is one fact which I ought to mention and which has been represented to me by my hon'ble friend Maulvi Aman Ali, and it is known to Your Excellency personally, and it is this: He collected certain figures when Your Lordship had been to Chittagong and he represented to Your Lordship that about 20 Hindu boys and about 60 Muhammadan boys could not get admission in the Chittagong college. That shows the necessity of opening additional sections in the Chittagong college, because, so far as I am aware, boys from other districts will not go to Chittagong for their education, and it is the Chittagong boys who have not got sufficient accommodation in the college of their own division. If proper inquiry be made it will be found that this is the case in all the divisions, that there is need for giving greater facilities to students to get

admission in colleges. But after hearing Mr. Dunn I do not think it proper to press my resolution.

Motion No. 6 was then put and lost.

Motion No. 7 was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 8.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that out of the educational grants provided in the current year's budget, a sum of Rs. 50,000 be granted to the promoters of the proposed Howrah college for the purpose of building the college.

He said :—

"I am grateful to Your Excellency for permitting me to move this resolution.

We have had a long and very interesting debate on the question of accommodation in Government colleges and its extension in different colleges. This resolution, I am sure, whatever has been the fate of the other resolutions, stands on a different footing. Here, a number of gentlemen have started the idea of establishing an intermediate college which may fitly be described as a high school, according to the standard laid down in the University Commission's report, in the district of Howrah. My Lord, they have collected a certain sum of money, and they have also got the approbation of the University of Calcutta. What they want is a decent house. I believe Government are helping them in the matter by asking the educational officers to assist them in finding a suitable house. I do not know whether they have been able to find one yet but all that is required is money, and the modest request I make is that Rs. 50,000 be granted to them to supplement their resources for a college building. My Lord, I do not think that my hon'ble friend, Mr. P. C. Mitter, who early referred to my resolution will think that my resolution in any way affects the general question whether education should be diverted in other directions, namely, agricultural and industrial. But unfortunately no practical step has yet been taken in that direction, although I am glad to hear from the Hon'ble Mr. Dunn that the matter is now under the consideration of Government so far as the establishment of an agricultural institution is concerned. My Lord, this college will teach up to the I. A standard of the Calcutta University, and I believe it is admitted by everyone present that for the purpose of giving a fair general education, the I. A. standard is possibly the minimum standard that can be insisted upon. The student who seeks admission in the Calcutta Medical College or in the Sibpur Engineering College must pass the I. A standard or the I. Sc standard of the Calcutta University, and therefore, I think, it will be admitted that it is not an institution intended merely to manufacture B. A's and M. A's of the Calcutta University. It is an institution which is intended impart a general education to the boys of the district of Howrah. Howrah is a very big area, it is a very big place, and is a matter of surprise that it has not got a single college of its own. The people are trying to get a college and what they want is a little help from Government. I hope that this help will not be denied to them.

As regards the sum of Rs. 50,000, I find in the budget no less than Rs. 97 lakhs is budgetted for expenditure under "Education". My Lord, I am sure

if Your Excellency's Government be pleased to make this grant, this money can be found from the savings of the items which are included in the budget. In fact, I find that there is an item of Rs. 12 lakhs, and I am sure the whole of the money will not be spent this year. There will be considerable savings and Rs. 50,000 is such an insignificant amount compared with Rs. 97 lakhs, that I feel sure Your Excellency's Government will be able to spare that sum. I do not wish to take up the time of the Council by making further observations on the subject. It is merely an appeal for a little dole on behalf of the people of Howrah, and I hope Your Excellency will see your way to accept this resolution."

The Hon'ble Mr. P. C. Mitter said:—

"My Lord, the general aspect of the question has been fully discussed, but my hon'ble friend Rai Radha Charan Pal Bahadur feels that his resolution does not touch so much the general aspect of the question of literary education as against non-literary education. There is one point which apparently he has overlooked. If you take away a certain sum of money and apply the same to the promotion of literary education then to that extent the promotion of non-literary education will be made difficult. Bengal can afford a certain sum of money for education generally. Well if you commit yourself to a policy of extension of literary education, it means that for all practical purposes the Government and the people make themselves responsible for a certain amount of recurring expenditure in literary education. When the Government and the people co-operate in future for the extension of non-literary education the money so provided will not be available. I would ask my hon'ble friend Rai Radha Charan Pal Bahadur to consider this aspect of the question, and may I just throw out a suggestion for whatever it is worth to my hon'ble friend and the people of Howrah? I understand that they have raised a certain amount of money. Last year the objection to having a medical school at Howrah was the congestion of student population there. Well, if you are going to have another literary college there it will mean more congestion. Can the people of Howrah not now divert the money to a more useful purpose?

One word more, my Lord, and I am done. It seems, as the general aspect of the question has some bearing on the point, that I have been considerably misunderstood. My plea was not a plea for retarding high education. I would want high education to advance, but you cannot advance high education in spite of what the Hon'ble Sir Deba Prasad Sarbadhikari has said, if you confine your activities to narrow limits. Sir Deba Prasad Sarbadhikari says that because Great Britain has 26,000 under-graduates why should we limit our ambition to that number. I entirely agree with him, but I will ask him to remember that we cannot really advance unless we make our educational activities more broad-based.

The Hon'ble Mr. Goode said:—

"My Lord, in replying to the motion of the Hon'ble Member I do not propose to criticize his resolution upon its merits, but I wish to suggest that it is not practicable to deal with his proposal in this Council. It will be desirable very briefly to recapitulate the history of the proceedings which led to this resolution.

The Rai Bahadur has stated that a committee of Howrah gentlemen recently moved the University of Calcutta for permission to found a second

grade college in Howrah. The University after having enquiries made by two members of the Syndicate approved affiliation and forwarded the proposal to Your Excellency in your capacity as Rector of the University. On a study of the papers Your Excellency was of opinion that the proposal which was made for the accommodation of the college and the financial arrangements were unsatisfactory, and you therefore suggested to the Government of India that further assurances in regard to these two matters should be required. The Government of India thereupon in exercise of their powers under the Universities Act requested that Your Excellency as Rector should appoint some educationalist to make an enquiry into the question of the accommodation and the financial merits of the proposal. Mr. Barrow, Principal of the Presidency College, was deputed to make that enquiry, and he did so in company with some of the members of the original committee. He reported that the house in which it was proposed to accommodate this college was quite inadequate and also that the financial stability of the new institution was by no means assured. The Government of India upon receiving his report decided that the affiliation recommended by the University should not be granted.

Now, the Hon'ble Rai Bahadur has taken upon himself to make in this Council an application which I suggest would much more properly come from the Governing Body of the proposed college. It is for that Governing Body which has been provisionally formed either to move the University or the Local Government for some contribution towards the establishment of the college they desire. I may state for the information of the Hon'ble Rai Bahadur that Government has every sympathy with this proposal on its merits. We recognize that in the near future we may be obliged in putting into excution the University Commission's report, to found many intermediate colleges throughout Bengal, and we recognize that the foundation of an endowed college at the Howrah district headquarters will be a most sound and desirable undertaking. I need not inform the Hon'ble Member that by intermediate college, I mean the same thing as he means by second grade colleges. I think, therefore, that the Hon'ble Member would be well advised to withdraw his resolution and to desire the Governing Body to approach Government for a grant which they require to establish this college. If Government is satisfied that their financial position will be sound, I think I can assure the Hon'ble Member that Government will deal with any proposal emanating from the Governing Body in a most sympathetic manner. We know from his resolution that the Governing Body of the proposed college now propose to make a new building. I understand that Rs. 40,000 has already been deposited in securities with the District Magistrate of Howrah, and that there is some hope of obtaining another Rs. 40,000 as a private benefaction. If that is so, the Governing Body have Rs. 80,000 in their hands with which to start their new venture. Now, if they approach the Government of Bengal with a sound and businesslike statement and show clearly that they are able to house in an adequate and satisfactory manner the new institution they propose to found, provided that the Government of Bengal will supplement their Rs. 80,000 by half a lakh, then, I think, on behalf of Government, without committing Government by any definite promise, I can at least assure the Hon'ble Member that any such proposal will receive very sympathetic consideration from Government. In this view of the case I hope that the Hon'ble Member will be prepared to withdraw his resolution."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have listened with great interest to the speech of Mr. Goode and I may say that I am very grateful to Mr. Goode and the Government for the very sympathetic reply that has been given to me. After what has fallen from him, I do not think it necessary to press my resolution, in fact

Rai R. C. Pal Bahadur.

I think I will do a distinct service to the people of Howrah by withdrawing the resolution at this stage. But I think it necessary to offer a few observations or rather explanations. I quite appreciate the fact that an application should come from the Governing Body, but my Lord, this resolution was not an inspiration that has come to me from the Most High, but an inspiration from some persons who are interested in it. And without explaining in further detail, I believe the Governing Body is also glad that I should put this matter before Your Excellency's Government. My Lord, I hope the Government will also kindly take into consideration this fact, that the people of Howrah have proceeded in a true businesslike way and in a spirit of self-help. They have raised Rs. 40,000 and further expect to raise another Rs. 40,000, and as far as I am able to follow Government will consider their case very sympathetically.

Now, my Lord, before I sit down I would like to make one or two observations with reference to the remarks of my hon'ble friend, Mr. P. C. Mitter, who has been very active to-day in some of his speeches. He has said in this particular instance that a certain sum of money will be diverted from its proper channel, that is, for the promotion of what he calls 'literary education.' I might explain here, my Lord, that the establishment of second grade colleges is not intended for the manufacture of B.A.'s and M.A.'s or lawyers like my friend Mr. P. C. Mitter. The other day on behalf of a brilliant student of the Calcutta University, who has passed the Matriculation examination in the first division, I approached a distinguished member of this Council, and a great friend of ours, who is interested in the development of industrial education. This boy wished to take up the industrial line, and he was told by the Principal of the Sibpur Engineering College that he would not get anything higher than the post of an Overseer in his college unless he got a degree from the University of either B.A. or the I.Sc. Here is a boy—a very brilliant boy—who has stood very high in the examination of the Calcutta University cannot get admission into the higher classes of engineering because he has not passed the I.A. Does my friend mean to say that boys like this should simply be content with the posts of Overseers to look after the steam-rollers of the city and earn Rs. 30 to Rs. 40 a month. I do not think that the 10,000 matriculates will be content with such a situation, with merely looking after the steam-rollers of the mufassal or the city.

Then, my Lord, my friend has so eloquently spoken about the diversion of money to literary education. May I draw my friend's attention to what he has done in his own district at Bhowanipur. About two years ago how could my friend coveniently forget the importance of industrial education and promote the foundation of another college for literary education. I know that the people who come from Bhowanipur are rich people—they get the bulk of the loot from the High Court and they have not to come up to Government for doles ; they establish colleges out of their own money. Why did they not then establish an agricultural or industrial institution? Perhaps the thought of retaining the reputation of Bhowanipur for producing the best lawyers was uppermost in their minds at the time."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that an expert in town-planning be appointed as the Chairman of the Calcutta Improvement

Rai R. C. Pal Bahadur.

Trust when that office becomes vacant in consequence of the grant of any leave to, or on the retirement of, the present incumbent.

He said :—

"My Lord, I am again grateful to Your Excellency for allowing me to move this motion ; it was to have been moved at the last meeting of the Council. It is well-known to Your Excellency as well as to the Hon'ble Members of this Council that the Improvement Trust has been in existence for the last 7 years. When the Improvement Trust was started a non-technical man in the person of Mr. Bompas was appointed at the head of the Trust. I think it was necessary at the beginning for the proper organization of the administration of the Trust, to put it on a working basis, and to give it a good start, that an able and efficient officer should be placed at the head of it, and Mr. Bompas, it must be said, was very fitly selected as the proper man for the post. He has organized the administration and it is now in working order. At the same time, my Lord, I think, from my own personal knowledge of the affairs of the Trust for some 7 years, that the time has now come when we should have a technical man at the head of the Trust. My Lord, from my very close association with the affairs of the Trust, and with due deference to the views which may be expressed by others who may say that there is not much work for a non-technical man as the head of the Trust, at present there is more work for a technical man as the head of the Trust than for a non-technical man. I believe, my Lord, that at the present time it would be a great advantage to the city if a technical man with expert knowledge is appointed as the head of the Trust. My Lord, for the last 18 months or more, the Trust has not got their Chief Valuer, their Chief Engineer, and practically the work is being carried out by the Chairman of the Trust, who has combined in himself the functions of the Chief Surveyor, Chief Valuer and Chief Engineer. There are no doubt capable assistants under him who have been trained so far as the valuation of the Survey Department is concerned.

My Lord, I might have my quarrels with Mr. Shrosbree, but I think it is bare justice to mention that a more capable man had not come to the Trust. He has left the department thoroughly organized and thoroughly equipped with a trained body of men—all of them Indians—who have been trained under him and are doing the work very well and efficiently under the guidance of the present Chairman. Then again, the Chief Engineer has also retired from the Trust and in his place we have got a Deputy Engineer who is doing the work fairly well. My Lord, I think that the time has come, now that the Chairman is going to retire, to consider whether an expert town-planner should not be appointed in his place. I may say at once that I am not asking for an Indian to be appointed for such a man could not be at present found amongst Indians. Far from it, I think an expert town-planner, if appointed, should be an Englishman and I am sure we can get such a man from England. I do not think, however, that such a man could be got in this country. Objections may be raised that such a man may lack administrative capacity. My Lord, I pay most heartily my tribute of respectful admiration to the members of the Indian Civil Service for the many eminent works that they have done in different capacities in India. But, my Lord, I think I may say without any disrespect to the members of that eminently glorious service that administrative efficiency is not the monopoly of that service alone. I remember when the question of the Governorship of this Presidency was mooted, the members of this service claimed that a Governor could not do so well coming from a foreign land unacquainted with the highways and byeways of the province as a senior member of their service who would do much better than a Governor imported from home. But, my Lord, what has really happened ? The Governors who

Raja Hrishikesh Laha.

have come out belong to a noble race and they have since adapted themselves to the new situation with great credit to themselves. My Lord, I hope there will be no such feeling with regard to this matter. In the Trust itself we had Mr. Finnimore, an Engineer, as a Chairman for about 8 months and no one will dispute that he performed the administrative part of the work quite efficiently and to the satisfaction of both the Government and the Trust. Let us take the railways. This important department is administered by officers who are not members of the Civil Service. The Education Department also is administered by a member of the Educational Service. In the Police even, although there have been civilian heads in the past, the department is now run by a member of the Police Service. The Commissioner of Police who is at the head of a vast organization is not a member of the Civil Service. So I think that the capacity to administer affairs efficiently is not confined to the members of the Civil Service alone. In England, in Canada, and even in Bombay, they have got an expert town-planner at the head of such affairs and they do not belong to the Civil Service. I am only trying to show by citing these facts that it is not essential for the proper administration of the Trust that a member of the Civil Service should be appointed. I am not against the members of the Civil Service at all; they might have been necessary at the beginning, but the time has now come when an expert should be appointed at the head of the Trust.

There is another advantage in appointing an expert. He may come more into touch with the members of the Board and his views may go to the Local Government direct and in an undiluted form. If such a man is appointed there will be economy also in the establishment. We are now paying Rs. 4,000 a month to the Chairman, Rs. 3,500 to the Chief Valuer and Rs. 2,500 to the Chief Engineer, but if at least two of these posts are amalgamated there will be a considerable saving in the expenditure. In the Port Trust, although we have an honorary Chairman, the whole administration is conducted by a technical officer who is called the Vice-Chairman. So, if there is a nominal official Chairman and an expert town-planner as his deputy I shall be quite content, but I cannot urge it having regard to the existing provisions of the law. I have just mentioned the Port Trust system only to strengthen my argument and to show that a big organization can be run by a man who is not a member of the Civil Service. My Lord, I do not want to say anything further on the subject, but I earnestly hope that this will be considered, and even if a member of the Civil Service is to be appointed in Mr. Bompas's place I pray that he may not be a Land Acquisition Collector of the Trust as is rumoured. Public confidence will at once be shaken in that case and I hope that such an arrangement will not be made."

The Hon'ble Raja Hrishikesh Laha said :—

"My Lord, I am sorry I cannot support the resolution moved by my hon'ble friend, Rai Radha Charan Pal Bahadur. His proposal is to appoint an expert in town-planning to fill up the Chair of the Calcutta Improvement Trust to be rendered vacant by the retirement of the present Chairman. In my opinion he has taken a very narrow view of the duties which the Chairman is called upon to perform. His duties are multifarious, and above all he must possess administrative capacity of a high order with financial experience in order to guide, direct and instruct his subordinates, so that the work may go on smoothly without any waste of public money. He has also to see that no money is squandered away in useless or unnecessary schemes, and that there is no lack of check or discipline among his subordinate officers. An expert in town-planning may have some of the above qualifications, but he will be, as a rule, very deficient in finance, and in these troublesome times it

would be dangerous to appoint a man who is devoid of experience, both in administrative and financial works. If what is stated by Raymond Unwins in his 'Town-planning in Practice' be correct that 'for the roads in a town to satisfy their primary function of highways, they must be so designed as to provide generally for easy access from any point in the town to any other', the present Chairman, though not a town-planner, has, with the advice of his expert subordinates, done remarkably well, and though he has favoured the southern quarter of the city more than the northern, nobody can deny that Bhowanipur has been greatly improved, and the roads that have been opened are real works of public utility. If the Chairman has a difficult problem to solve in regard to any scheme, he can very well engage the services of a town-planner for a time just as the Calcutta Corporation did in the case of the Burrabazar scheme.

From the Annual Report of the Calcutta Improvement Trust for the year 1917-18, it will be seen that there are schemes for thirty proposed public streets awaiting execution, which will probably take about 10 years to complete, so that the present Chairman, by his foresight and prudence, has anticipated the requirements of the town and left very little for a town-planner to do. In fact, his occupation is gone. If my friend says that Burrabazar is not yet improved, I should say that a Sub-Committee is considering the matter and they have the opinion of Mr. Geddes for their guidance. Of course, there are the further reclamation of slums and the building of houses for the poor *bhadralog* and working classes, which could very well be done by the Chief Engineer of the Trust in consultation with the City Architect of the Calcutta Corporation, and I have no doubt that the housing problem which is inseparably connected with good roads and means of locomotion, would be solved by them without much difficulty and without the help of any other expert. We must remember that the Chairman's responsibility is very great, and that responsibility cannot be satisfactorily discharged by his simply being an expert in town-plaining. For these reasons, I oppose this resolution."

The Hon'ble Sir Rajendra Nath Mookerjee said :—

"My Lord, I beg to oppose the motion. I will only say a few words giving my reasons why I am doing so. Only a few days ago my hon'ble friend moved a resolution of a similar nature at a meeting of the Improvement Trust ; he failed to get a supporter there and in the opinion of the full Board of the Trust a town-planning expert was not thought to be a proper person to be appointed as the head of the Trust. The resolution is very clearly worded, but I am sorry to say that after his vehement speech against the Hon'ble Mr. P. C. Mitter, the Hon'ble Mover got confused and forgot the main issue. He first said that the Port Trust Vice-Chairman was a technical man. That is not so. He was a member of the Port Trust and he should have known it. Then he said that the post of the Chief Engineer and the Chairman of the Trust may be combined. Generally a town-planner is not an engineer. The work of an engineer in the Trust is of a very difficult nature which cannot be done by a town-planner with his elementary knowledge of engineering. Again, he said that Mr. Shrosbree trained a number of Indians and he expressed his admiration for him for doing so. If the work can be done by the men trained by Mr. Shrosbree then it is obvious that a town-planner is not now necessary. He also said that a town-planner is now more necessary than at the commencement of the work as at the beginning of the work the department had to be organized and, therefore, a civilian was necessary. But I think that if a town-planner was at all necessary it was necessary at the earlier stage. Your Excellency's Government are aware that almost all the important schemes were framed and Government sanction obtained, but the work could not be fully carried on owing to the difficulty of getting materials

Rai D. C. Ghose Bahadur.

during wa . The work has now progressed far, and in connection with the few remaining important roads the Collector is busily engaged in the acquisition of lands. Therefore, it is evident that it is not at this stage we want a town-planner.

The work of the Chairman of the Trust, as the Hon'ble Raja Hrishikesh Laha has pointed out is of a multifarious nature. He has not only to preside over meetings, attend sub-committee meetings, land committee meetings in which co-opted members are often taken and where conflicting interests are decided, but he has to see that the money of the Trust is not kept idle and that the work of the Trust does not suffer for want of funds. He has also to keep a vigilant eye on the work of Revenue collection and he has to supervise the outdoor work and inspect in the morning three times a week. All this shows that the Chairman of the Improvement Trust should be a man of great tact and of wide Indian administrative experience. I admit that at the earlier stages of the work a town-planner would have been a most valuable adjunct but at this stage he is not necessary. The Hon'ble Mover has said that he has considerable experience of the Trust as he has been associated with it from the very beginning. But there are others too who can claim the same experience, and in their opinion this is not the proper time to appoint a town-planner at the head of the Trust. I am also constrained to say that experts generally lack business and administrative qualifications. They are more or less faddists but they can do their part of the work very well. All these facts will not justify us to ask Government to appoint a town-planner. Long before the Hon'ble mover sent notice of his resolution there was a rumour that Government was going to get a town-planner from England for the Trust and I believe my hon'ble friend got his inspiration from that rumour for moving this resolution. I venture to think, however, that Government would be making a mistake if at this stage they bring out a town-planner to carry on the onerous duties of the Chairman of the Trust. If an elderly man from England has to do the outdoor inspection work three times a week during hot summer months he will break down completely in a very short time, and the efficient machinery of the Trust will also suffer in consequence. I, therefore, oppose the motion."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, after what has fallen from the Hon'ble Raja Hrishikesh Laha and Sir Rajendra Nath Mookerjee, for me to say something on this matter would be slaying the slain. I am opposed to the motion of the Hon'ble Rai Radha Charan Pal Bahadur. Three gentlemen out of the eleven who play the game of the Trust have had their say. I am only an outsider who only watches the game and for that reason I am entitled to say something in this matter. I quite understand that this appointment of the Chairman of the Trust is not to be reserved for the Civil Service under the statute and that because a member of the Civil Service has filled that office for some 6 or 7 years, therefore, his successor should not be one of that service; not necessarily so. In addition to the reasons given by two preceding speakers I should say that I have felt that in discharging the duties of the office of the Chairman of the Improvement Trust that gentleman has to do certain judicial duties, not that he has to pass judgment under the Civil Procedure Code or the Criminal Procedure Code, but he has to apply a judicial mind and decide matters in which, of course, he can express his opinion this way or that way. If he makes any mistake it becomes a grievous wrong to the party affected. Therefore, I am of opinion, that a person who is trained as a town-planner is not always the best person to fill such a post. A town-planner might have had his use in the early part of the operations of the Trust or before the actual work of the Trust commenced, and as it has been said a town-planner may be requisitioned occasionally as it was done in the matter

of the Barabazar scheme. Therefore, there are many things in which gentleman who is not trained in administrative business and who is n familiar with the lives and conditions of the people would be unsuited for suc an office. I do not mean to say that the Civil Service is a perfect servic they also have their limitations; they also have to learn, but they kno how to learn and always generally with a view to singleness of purpos and that is for the good of the people. If you get out a town-planner a has been suggested by my friend the Hon'ble Rai Radha Charan Pal fro Europe, it is just possible that he might be an adventurer, and I would n trust the affairs of this city as regards its improvement in his hands. Ther Sir, a suggestion has been made that whoever may be appointed. l it not be one of the Land Acquisition Collectors. I am sorry that m friend the Hon'ble Rai Radha Charan Pal permitted himself to make a observation of this kind. If it is to be understood that the only member of th Civil Service who is a Land Acquisition Collector,—the other being a membe of the Subordinate Service,—is not a desirable person for such an office, I thin I ought to say that I have heard from all accounts that that gentleman ha a universally good reputation for his work and service from the time that h was at Faridpur, latterly when he was in the 24-Parganas and now that he is i the town of Calcutta, he has an eminently judicial mind, is anxious to do justic and is just the man for work of this kind. Something has been said a regards the professional engineering aspect of the Trust. I am sorry tha I cannot speak very highly of the result of the engineering work of th Improvement Trust. I am entitled to say that because there has been lately a discussion on the way in which the drainage work of scheme No. 5, whic covered part of Bhowanipore, and part of Ballyganj, has been done. Ther was an admission on the part of the Chairman of the Trust, a very tardy admis sion, that the work has been defective; they are sewage works, they have been defective in as much as they do not fit in with the scheme of drainage work of the Corporation of Calcutta, and not only are they not in accordance with that scheme, but it would require hand flushing for the purpose o removing the dirt and filth of that part of the town. Well, if this is th work of the engineers of the Improvement Trust, if they did not know thei business, they might have asked for assistance from the Calcutta Corporation to help them in the matter of drainage works. And the Hon'ble Mr. Bompa must certainly share in the responsibility for this defective engineering work after all, there might be some failures in certain proceedings. But, taken as a whole, I think he has shown sufficient energy, sufficient intelligent attention to the work to justify his appointment—at least it will not serve as a bar for any other member of the Civil Service to fill the post as his successor."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I must candidly confess that the discussion on this resolution has been most instructive to the Government for two reasons. In the first place it has brought out very clearly that the Hon'ble Mover of this resolution has met with the same fate here as he did when he moved a similar resolution in the Calcutta Improvement Trust, viz., that he has not had a single supporter to his idea. Secondly, it has been brought to the notice of Government that gentlemen who are on the Body of the Trust as well as outside it, like Rai Debender Chunder Ghose Bahadur do not consider that an expert or a man with technical knowledge, to use the Rai Bahadur Radha Charan Pal's phraseology, is essential for the post of the President of the Trust. I do not, of course propose to argue or follow the arguments that have been brought forward by the Rai Bahadur about appointing to the Trust, men from other services than the Indian Civil Service. All that it is my business to say to-day is that in the first place, Government did very carefully consider when it was brought to the

notice of the Government that Mr. Bompas was about to leave, as to whether or not the services of a town-planning expert with some administrative experience and knowledge of India could be procured, and I may inform the Council that it is true that this Government, with the assistance of the Secretary of State for India, had been trying to negotiate to get such a man to succeed Mr. Bompas. I regret, however, that the result of these negotiations has been to show that the services of such a person as the Government also had in view, could not at present be secured, but I must say that the views of the Government must, after the discussion in Council to-day, naturally undergo some considerable change, although I am not prepared to agree with Sir R. N. Mookherjee or Rai Debender Chunder Ghose Bahadur as to the futility of bringing in a man as Chairman of the Improvement Trust at the present stage, with a knowledge of town-planning. I quite admit that if we are unable to get such an expert with knowledge of India, and Calcutta particularly, and as things exist in the Calcutta Improvement Trust, we should certainly not make a plunge. I, therefore, am unable to accept the resolution on behalf of Government which has been moved by the Hon'ble Rai Radha Charan Pal Bahadur. As the matter is urgent, and as the Rai Bahadur has been trying to fish and find out who is going to succeed Mr. Bompas as to whether it would be some wretched Land Acquisition Collector an individual on whom the Rai Bahadur seems to be particularly down upon, I am to say Your Excellency has approved the appointment of the Hon'ble Mr. French to take up the appointment when Mr. Bompas goes on leave. I am sorry I am not able to accept the resolution."

The Hon'ble Mr. Phelps said :—

"My Lord, I am not connected with the Improvement Trust directly, but I am indirectly as a member of the Corporation, who has had a good deal to do with the various schemes. I do not wish to say much or advance more than one argument, but I would like to appeal to my friend the Hon'ble Mover to withdraw his motion because his constant complaint for years with regard to the Improvement Trust has been that it is a one-man show, alluding to Mr. Bompas, I suppose. Well, if he finds an administrator with a judicial mind brings about a one-man show in a committee like that, what will be the result if they get the professional town-planner, an expert, who will thrust his opinions down everybody's throats. I appeal to my hon'ble friend while there is time, to withdraw his motion else his position might be somewhat like that of Sinbad the Sailor. I think I remember the story, when I was a boy, of Sinbad the Sailor who got the old man of the sea on his back and could not get him off."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have listened to the speech of my friend the Hon'ble Raja Hrishikesh Laha. His opposition to my motion is this, that large financial questions are involved and, therefore, a professional town-planner is not so necessary as one who is an expert in finance. My reply to that is this, my Lord, that in matters of finance, all questions are first of all considered by the Finance Committee and are generally settled by the Board on the materials that are placed before them, *i.e.*, various schemes are prepared and the total cost estimated on the cost of each scheme. It is the Board that prepares the budget according to the resources at their disposal every year, and I do not think that it can be said with any fairness that none but a member of the Indian Civil Service is capable of controlling the finance. In other places, large financial questions are involved, and I believe it is admitted that in these cases the work has been successfully carried on by

men who do not belong to that service. I allude to the Railways, the Port Trust and other places.

Then, my Lord, Sir Rajendra Nath Mookerjee has said that in the Corporation I moved the same motion, and I was not supported there. He further said perhaps that is merely his guess, that I got inspiration from some one outside, that Government was taking certain steps to get a town-planning expert, and, therefore, that was just the time to rush this resolution in the Council. My Lord this is not a fact, and I most emphatically say so. Several of my hon'ble friends will remember that some time ago when the Hon'ble Mr. Bompas was going on leave on a previous occasion and Mr Woodhead was appointed, I suggested that some expert should be appointed. This is a question which I expressly raised in the Board, but as there was not a permanent vacancy, I did not pursue the subject further. Further, we were told that there are meetings of the Lands Committee and of the Objection Committee, and, therefore, a man with a judicial frame of mind ought to preside. My Lord, I am not aware that because a member of the Civil Service has not got the Presidentship of the Committee or Sub-Committee, therefore the Committee will not exercise a judicial control. On the contrary, all the members of the Board are men who are chosen not from any particular service, whether from Provincial or Civil Service, but because they are men with some practical knowledge of the local needs and conditions and they decide according to their judgment. It has been said that at an early stage this was necessary, but at this stage this is not necessary, because lots of inspection work was required and a man coming from England would not be able to stand the climate and strain of inspection and all that. I do not know whether this is applicable to the office establishment which Sir Rajendra Nath Mookerjee has got under him. I have yet to learn that there is an institute to temper the metal, as it were, before Europeans are sent out to actual service in this country. On the contrary, the records of Government show that capable men who have come out from England have been able to stand the strain of inspection and outdoor work without any loss of efficiency, and I do not know why it should be thought that if the town-planner is imported, he would not be able to withstand the strain of the work. Then, it is stated, the town-planner would be a faddist. Anything can be said against the town-planner. I am not advocating any particular individual. If Sir Rajendra Nath Mookerjee terms that band of excellent men who are called town-planners and who are specially trained in that work in England, faddists, and says that they have no administrative capacity, that will materially change our opinion of English capacity and capability for work.

Then, as regards the opinion of the Hon'ble Rai Debender Chunder Ghose Bahadur, I may say this that he is quite entitled to say that he would much prefer that the affairs of the Trust should be administered by a member of the Civil Service than by any expert trained in that line. My Lord, everyone has his own opinion on this subject, but I am sure that if an opinion is taken of the public, it will be found that members would all much rather prefer an expert with thorough knowledge to have a direct hand in the Trust than to be served through a non-technical man. Grave difficulties have arisen. It is a fact, my Lord, that expert men are not in close touch with the Board. It is said that they can consult expert opinion whenever necessary as the Corporation have done in the matter of Burrabazar, taking the opinion of Professor Geddes. Well, my Lord, the Corporation is not a town-planning body, not a body specially created for the purpose of the improvement of the town. When a scheme was prepared by the Trust, the Corporation consulted Professor Geddes, but here every day, every 24 hours of their existence I may say, they would be working 23 hours on these schemes and, therefore, I think that my resolution is not quite unworthy of the consideration of Government. Government themselves realized the necessity of having an expert at the

head of affairs of the Trust and it is a pity that a suitable man could not be found at present. In these circumstances I find it useless to press my motion, but I hope that Government will kindly bear this in mind and when an opportunity offers they will consider this question and appoint an expert to the post. I am sure the official and non-official Europeans will admit that if a suitable expert is found he should be placed at the head of the Trust. It will lead to economy and greater efficiency, and at the same time it would be a great advantage to have an expert man in direct touch with the Board and the public."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 10.

The **Hon'ble Mr. Phelps** moved the following resolution :—

This Council recommends to the Governor in Council that a Commission be appointed to inquire into the causes of the excessive land values and high rents in Calcutta and, if possible, to suggest remedies in connection with this matter, and to report with the least possible delay.

He said :—

"My Lord, there has been a great outcry in Calcutta for some years past against the excessive value and rapid advance in land values and house rents, and many attempts have been made to find a remedy. The Corporation has not been remiss in trying to find a remedy, but they have not been successful. About a year ago I myself moved for a Committee of inquiry, but confined my attention to house rents only. There had been some attempts before to consider land values and house rents, but my reason for confining my attention and the attention of the Corporation on that occasion was to simplify matters, because it was recognized that for the Corporation to embark on a campaign of consideration of land values, they would get beyond their depth. I therefore confined my attention to house rents only. I cited several instances out of many which had come to my notice where landlords have arbitrarily and at a month's notice raised the rents of their houses from 25, 50, 75 and 100 per cent. and even more, alleging that the property had been reassessed, and that the price of building materials has risen. That the prices of building materials and labour had risen no one can deny, but it remains a matter for consideration to what extent the rise of building materials would justify the doubling of the rent of houses which were erected before the war disturbed current prices.

Regarding the other contention, the Corporation had reassessed the property, I took the trouble to ascertain the truth of this statement in the first five cases which came to my notice and I found that although it was perfectly true that reassessment had taken place no enhancement in either of those cases had occurred. I reminded the Commissioners that the Municipal Act authorizes a reassessment in different wards once in six years and that it had been the practice among unscrupulous landlords—I do not mean landlords in general simply unscrupulous landlords—to take advantage of the fact that a new assessment had taken place and then to squeeze the tenant for more rent knowing full well that until the next reassessment came round, the Corporation were powerless to reassess, even, although the assessor might be quite well aware that the tenant was being charged 25 per cent. or 100 per cent. more than the assessment. In Bombay the Corporation may reassess after 12 months according to their Act, but it is not so in Calcutta, unless there has been some reconstruction. I pointed out that in this way not only was the tenant being unmercifully

Mr. Phelps.

squeezed but the Corporation were being deprived of their revenue in a shameless manner, and thus the general rate-payers were defrauded. My efforts met with no success. I was reminded by the cynical that I was addressing an assembly of landlords and that even if the Committee of Enquiry was appointed, we could do nothing but make an appeal to Government; but it seemed to me that it was the business of the Corporation to consider these arguments and appeal to Government for powers of reassessment in certain cases and perhaps to establish a Court of Appeal. These were the two points which I wished particularly to draw attention to as suitable for action by the Corporation and within their limits. But the most astonishing objection was, in my opinion, that the matter of rents was entirely and very properly subject to the law of supply and demand. The Commissioners professed their inability to see the difference in principle between the purchase of a pair of boots and the renting of a house. The law of supply and demand became a fetish, a law which might sometimes act cruelly but must nevertheless be grovelled to with helpless adoration. But the same people voted for the control of the 'common necessities of life' such as coal, oil, ghee, rice and cotton piece-goods. These were the common necessities of life, and action was taken to prevent certain traders from profiteering. I ask, my Lord, is not a house, a flat, a dwelling place of some sort, a common necessity of life? My attention, my Lord, was first directed to this subject by complaints received from people whose rents had been raised from something like Rs. 200 to Rs. 300; I mean middle class people, but since it became known that I was going to move this resolution in this Council, I have had numerous touching appeals from poor people.

One of these I received this morning from numerous persons who occupy single rooms which they pay a rent of Rs. 8 per month. It was rumoured that the landlord was going to charge Rs. 12 per month, but last Sunday the landlord's agent came round and gave them formal notice that the rent in future would be Rs. 16. Some of these poor people are actually in receipt of relief from the District Charitable Society.

I am advised that in England the 'Rent Act of 1915', the 'Courts Emergency Powers Act of 1917', and the 'Increase of Rent (Amendment) Act of 1918' are all designed to protect tenants from unscrupulous landlords. In India, the Bombay Government at the request of the Corporation did something also by way of standardizing rents, and even, following the English example, afforded retrospective relief.

My own efforts on this occasion were confined to the matter of abnormally high rents and the epidemic of unreasonableness developed by a few landlords. I am sorry to say that this epidemic has since spread very rapidly and become very virulent. Others have, however, taken a wider view and criticisms have been levelled at Government for keeping the city so long in suspense with the delay in starting the Grand Trunk Canal Scheme and for the retention of splendid building sites even now lying vacant; also at the Calcutta Improvement Trust for its so-called 'grasping policy' and defective method of rehousing the people displaced by its improvements. The Corporation has been blamed for its zeal in making new assessments, and speculators for the spirit of unholy speculation in land and house property. It is even hinted that His Majesty's Mint stands in the way of improvement as regards utilization of building sites and the Calcutta Port Trust is criticized for a misuse of the Strand Bank lands.

All these criticisms point to the urgent necessity for a Commission of Enquiry in order that the work of public bodies may be co-ordinated. The Port Facilities Committees did good work, but its mandate was circumscribed and new circumstances have since arisen. It is not for me to suggest remedies at this stage but acknowledging my defeat in the Corporation it was my

Rai D. C. Ghosh Bahadur ; Maulvi Abul Kasem.

intention to pursue the subject by moving amendments to the new Municipal Bill in this Council had it not been withdrawn. As an alternative I feel now constrained to move for a Commission of Enquiry in the interests of the general public. The matter is so serious that it seems to me that independent or separate action by the Improvement Trust, the Corporation and the Government is likely to end in disappointment.

I fully recognize that rents and land values must of necessity be high in a prosperous city. Any mismanagement of either the Port Trust or the Corporation or the Improvement Trust which resulted in an unhealthy and disorganized city would soon bring down land values and house rents with a run, but I submit that if the work of these public bodies were co-ordinated, fuller and more economical use might be made of the land in Calcutta and its environs and do away with some of the congestion and over-lapping of energy and perhaps diminish wild speculation. I have been very moderate in my statements and I have not only not exaggerated but I know that everything that I have said is true. I hope that this moderate request of mine will commend itself to Your Lordship's Government."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I join with the Hon'ble Mr. Phelps in the prayer that a commission be appointed to inquire into the condition of house rents in Calcutta, and if possible, to suggest remedies in connection with this matter. I find, Sir, that of late there has been a large increase in the value of land and house property and consequently in these days of high prices people feel this very acutely, and if we may judge of the state of affairs, amongst the poorer classes of the Anglo-Indian community, as reflected in the Calcutta newspapers, there is a sincere demand for an inquiry of the sort which the Hon'ble Mr. Phelps has asked for. If it be a fact, and we are assured by the Hon'ble Mover that it is, that in London there have been legislative measures since 1915 to regulate the relations of landlord and tenant in the matter of rent, and if Bombay and Rangoon have taken some steps in that direction, then I think it would be a proper policy to make an inquiry as suggested by the Hon'ble Mr. Phelps. True, it goes in the direction of asking for a legislative measure which will meddle with the contractual relations of landlords with their tenants. In this country, before the introduction of British rule, rents used to be regulated by custom, and contract only found a place after the introduction of Western ideas in this land. So that, if you find that things are really very hard and landlords are extortionate you should certainly make an effort to improve the relations now existing between a certain class of landlords and a certain class of tenants. With these words I beg to support the resolution."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, in the Council to-day there has been a good deal of difference of opinion on the resolutions that have been moved this morning, but I hope and trust that with reference to this resolution there will be a unanimity of opinion on this side of the House. The rise in rents of houses in Calcutta is very acutely felt by all sections of the community. If our European fellow citizens find it a matter of complaint and find difficulties in paying these high rents, how much more must the members of my community—I mean the Indian middle class community—be feeling it. The Europeans can live two or three families in one house, but Indian families have to live separately and therefore they find it more difficult to secure houses in Calcutta, and as a consequence a large number of middle class people have either to give up their vocation or employment or have to pay a very high rent which leave them very little margin from their income for other necessaries of life

Babu S. N. Ray.

The situation has indeed become very grave. It may be said that the question is one of supply and demand So is the question of labour. But the state has interfered in disputes between capital and labour. We have also recently urged on Government to prevent the rise in the price of the necessaries of life. If that can be prevented, why not the rise in the rents of houses. Accommodation is as much a necessity as rice and cloth. The resolution will, I trust, receive the support of the non-official members of the Council and I hope will also receive sympathetic consideration at the hands of Your Excellency's Government."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I have much pleasure to support this resolution. The landlords of Calcutta have been maligned in season and out of season and that probably without any rhyme or reason for a long time past. This committee, if appointed, will give an opportunity to the landlords to show that they are not as bad a lot as they are represented to be, and that most of them even with Government loans yielding about 6 per cent., would be content with 5 per cent. dividend and that they seldom get more than 6 per cent.

I do not want to anticipate the conclusions of the proposed committee. But I think the operations of the Calcutta Improvement Trust are largely responsible for displacing a large number of residents from the Indian quarter of the town. These people do not know where to go and they are obliged to remain crammed within the city and pay high rent. With reference to the European quarter of the town I think rent has increased because there has been a large influx of Europeans in the town of late and that there is not proper and suitable accommodation for them all. To this must be added a large number of Japanese who have come to Calcutta within the last 3 or 4 years and have occupied a large number of houses in Loudon Street and Ballyganj at an exorbitant rent. We must also take note of the ever-increasing development of Calcutta as a commercial and industrial centre and that Calcutta proper has not great scope for expansion. Again, people who come from the mufassal to earn a living gradually make Calcutta their permanent place of residence, because there are not such facilities to come from the mufassal to Calcutta, such as cheap trams or railways as they have in Bombay. There is also another fact to be taken into consideration. Calcutta, in spite of its epidemic diseases and its congestion, is a sanitarium and mufassal people do not like to go back to their native home to become the victims of malaria there. In fact those who become accustomed to live in Calcutta are unwilling to remain outside Calcutta.

I should mention another important fact in this connection. It is well known within the last 5 years the prices of building materials have gone up 50 per cent. Who is to pay for this? It is those for whom houses will be built or houses have been built. The occupiers of houses are, therefore, obliged to pay 50 per cent. more rent over the rent of houses in normal times. It is also a well-known fact that the price of land has gone up very high. People have now more money than they had before. Competition for purchasing lands has been very great, and people have been purchasing lands specially from the Improvement Trust at extraordinarily high prices. And these purchasers want proper return for the money they lay out. The result is that eventually the actual occupiers of houses have to pay in the shape of high rent. For these reasons, as much in the interest of the much maligned landlords as in the interest of the tenants, I welcome this resolution."

Maharajadhiraja Bahadur of Burdwan.

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, in replying to the Hon'ble Mr. Phelps I desire to invite the attention of the Council to certain factors in the housing problem in Calcutta to which he has not, I think, given sufficient prominence and which has to a certain extent been brought out by subsequent speakers. No one will question the great difficulties of the present situation in Calcutta. We all know that rents have risen to an unprecedented height and, though I myself belong to the property-owning class, to the unreasonable demands of some of whom these excessive rents are attributed, I can assure the Hon'ble Mover that I sympathize with him in his concern for the tenants. The causes, however, which have produced the present scarcity of house accommodation and consequently what he describes as an excessive enhancement of rent, are deep-seated and to some extent world-wide, and I am not sure that the commission which he desires can be expected to provide for any immediate remedy for the evil. I do not think the Hon'ble Member in his interesting speech attached sufficient importance to the economic factors which underlie the whole problem. Certain of these factors undoubtedly lie in their very origin, but mainly as I have suggested, they are general and universal in their nature. I need make no more than a passing reference to the remarks the Hon'ble Babu Surendra Nath Ray has made to the enormous rise in the cost of building material and labour. The Hon'ble Mover is well aware that the present price of building material is higher than what it was 3 or 4 years ago ; it is even prohibitive, and that even now the landlord who is faced with a big bill for repairs finds it difficult to contemplate it with philosophic resignation. But it is not only material and labour which cost more but we are in the midst of the biggest land boom Calcutta has ever seen and prices are being raised every day which before the war would have seemed impossibly extravagant. I need not point out to this Council that to some class in India and not less in Bengal war has brought unexampled prosperity. The Marwaris who used to prefer more fluid investments have invaded the land market and every week one hears of big transactions in house property. I could cite instances, but I shall refrain from doing so. The future may show that these prices were excessive. Some reaction, therefore, there must be to this extravagant speculation in land, but even if the boom is followed by a depression it is obvious that the new owners of house properties must attempt to obtain some fair interest on their outlay and the rise in rents can be explained by economic factors which I am afraid no commission can control. There are other factors to which I may make some brief reference. In the northern part of Calcutta the operations of the Improvement Trust have to some extent aggravated the housing problem. No sufficient provision has been made as yet for rehousing *bhadrologs* who have been dispossessed. The remedy lies in the speedy extension of the operations of the Trust to the suburban areas. I am told that to some extent the Trust have had to wait for the provision of the main system of drainage for certain suburban areas which is a function of the Corporation. However that may be, Government is convinced that the immediate need is for the Trust to develop the insanitary suburban areas and provide accommodation in advance for those whom the street schemes may affect. In the southern part of Calcutta—the European quarter—I may remind the Hon'ble Member that building operations have been checked during the war while the new industrial movement in India is responsible for some growth in the European population. I have referred to this side of the problem because, I think, it has not received sufficient attention from the Hon'ble Member in his speech. I do not think he has established the existence of profiteering, but in cases such as this, it is, I conceive, where profiteering becomes a general and flagrant abuse, that State control in the economic sphere can be most easily justified. Mr. Phelps has cited English legislation as a precedent, but in doing so he has omitted to mention that it was designed to protect the working classes and the lower middle classes. It applies to London only to houses rented at £35 before the war and in Scotland

to houses rented at £30. I understand that when the legislation was befor the House of Commons Mr. Bonar Law in meeting the opposition to thi measure lay special stress on the limited operations of the Act, but as th Hon'ble Member desires also to protect what may be termed the well-to-d class, the Bombay Act has, of course, some value as a precedent. I hav not yet received any detailed information as to its operation and I cannot sa how far the conditions in Bombay are parallel with those in Calcutta, but have just had a telegram from the Bombay Government which states tha their Rent Restrictions Act has worked well for small premises and ha appreciably restricted though not stopped the rise in rent of larger premises If control has been of value in Bombay I admit that there is a good case fo investigation into the conditions in Calcutta with a view to determin whether control is likely to help matters and to remove the evils which w all deplore. In the remarks I have made I have referred to certain factor which lead me to doubt whether a commission, however strong, can offer solution to the admitted evil on which the Hon'ble Mover has dilated but at the same time Government recognize that a carefully selected Commis sion may be expected to throw light on the whole economic question. Thei investigation will show if profiteering is rife and the Commissioners may b able to suggest remedies which Government can adopt. I may, therefor without any further delay inform the Council that the Government hav decided to accept the Hon'ble Member's resolution.

The Hon'ble Mr. Phelps said:—

"I thank the Hon'ble Member in Charge for his sympathetic speech, bu I may also emphatically assure him that I have not overlooked the fact tha he has brought to my notice. I studied the subject very carefully and I a quite aware of the difficulties he has raised, though I was afraid that th Hon'ble Member was going to say that the difficulties might be explained awa I am very glad he did not do so because I think it is extremely important t co-ordinate the work of the different authorities. The Corporation is not in ful accord with the Improvement Trust, who in their turn are not in full accord wit the Port Trust and sometimes with Government. But I think a strong commit tee which will take expert evidence on this subject would be able to formulat some general proposal which would eventually lead to a better state of things I cannot sit down without uttering a warning. There was a few years ago a big land boom in Australia and I learnt from my hon'ble friend Mr. Lan that it was followed by a most distressing slump. And I beg to warn all those whom it may concern, specially the landlords of Calcutta that there will be a slump and that there is no doubt about it, and [illegible] a very few years."

The motion was then put and agreed to.

ADJOURNMENT.

The Council was then then adjourned *sine die*.

A. M. HUTCHISON.
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA ;
The 19th September, 1919.

B. S Press—11-10-1919—2274J—350—P. G

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 19th November, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E

The Hon'ble MR. G. N. ROY.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K CLOSE, M.D., I.M.S.

The Hon'ble MR. W. W. HORNELL, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.I.

The Hon'ble MR. L. V. N. MEARES.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble MR. R. M. WATSON SMYTH.

The Hon'ble MR. W. H. PHELPS.

The Hon'ble MR. G. A. BAYLEY.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

LIST OF BUSINESS—ITEM No. 1.

OATH OR AFFIRMATION OF ALLEGIANCE.

1. The Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. O'Malley, the Hon'ble Mr. G. N. Roy, the Hon'ble Mr. Hornell, and the Hon'ble Mr. Watson Smyth, made an oath or affirmation of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No.2.

STARRED QUESTIONS.

The following questions which had been starred were put and answered :—

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***1.**

The cyclone in East Bengal.

(*a*) What is the name of the gentleman who was responsible for the weather reports which were issued on the 24th and 25th of September last in Calcutta from the Bengal Meteorological office?

(*b*) Is it a fact that on the 24th September, he published the following report:—

" The depression which is in the north-west angle of the Bay this morning is only slight. It will likely move into South Bengal to-day. The sea is moderate at Saugor Island and Pamban and rough at Colombo "?

(*c*) Is it a fact that the following day, he published the following report:—

" The storm which passed to the south-east of Calcutta yesterday was of very small extent and only affected places which were close to its centre.

.....The effect of the small storm has disappeared rapidly and the sea is smooth or slight at all stations except Colombo where it is rough "?

(*d*) Is it a fact that the Central Meteorological office at Simla record the following observation at 8 o'clock in the morning of the 24th of September upon the same materials which were available to the Bengal Meteorological office:—

" The disturbance in the Bay has developed into a storm about 50 miles south of Saugor Island. It will probably enter Bengal to-day "?

(*e*) Since the last cyclone, *i.e.*, of the 24th and 25th September, have the Government of Bengal made inquiries into the conduct of the Bengal Meteorological Reporter, and if they are satisfied with that gentleman's explanation will they be pleased to favour this Council with a brief statement of that explanation?

(*f*) Is the same gentleman still holding the Meteorological Reporter's office or has he been relieved of it?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) The officer concerned is Mr. D. B. Meek, Meteorologist, Calcutta.

(*b*) Yes.

(*c*) Yes.

(*d*) Yes. None of these reports referred, however, to the cyclonic nature of the storm for the reason given in the *communiqué* published by Government on the 14th October, 1919, that it was of too small a diameter to influence meteorological conditions at the observatories between which it passed.

(*e*) No. The Meteorologist, Calcutta, is under the Government of India and not under the Government of Bengal. Moreover, the Government of Bengal have no reason to be dissatisfied with his work or to believe that his conduct can in any manner be associated with the havoc wrought by the cyclone.

(*f*) Mr. D B. Meek continues to hold charge of the office of the Meteorologist, Calcutta."

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***11.**

The cyclone in East Bengal.

(*a*) In connection with the cyclone of the 24th September last will the Government be pleased to state whether danger signals were hoisted at the inland river stations of East Bengal, and, if so, at what hour and in what places?

(*b*) Have the Government ascertained whether communications could not have been made earlier, and danger signals hoisted earlier, than what was actually done?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Danger signals were hoisted at the following inland river stations of East Bengal on the 24th September at the times stated:—

Goalundo	...	...	...	...	19 hrs. 30 min.
Narayanganj	...	...	...	...	19 hrs. 51 min.
Chandpur	...	...	...	...	19 hrs. 20 min.
Barisal	...	...	...	...	20 hrs. 10 min.

(*b*) Government have ascertained that orders to hoist danger signals were communicated as soon as meteorological conditions indicated that such signals were necessary and justified."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***111.**

Librarian of the Rajshahi College.

(*a*) Are the Government aware that the Librarian of the Rajshahi College, which is a large first grade College teaching up to the B.A. and B.Sc. Honours standard in English, Mathematics, Sanskrit, Philosophy History, Physics and Chemistry, is an officer of the Lower Subordinate Educational Service on Rs. 20—25?

(*b*) Is it a fact that the Principal of the Rajshahi College made repeated applications for the appointment of a competent Librarian at a higher rate of pay?

(*c*) Is it a fact that these were rejected by the Director of Public Instruction on the ground that he considered that no good case had been made out by the Principal?

(*d*) Will the Government be pleased to lay on the table a comparative statement of the Library staff of the Presidency, Dacca and Rajshahi Colleges?

Answer by the Hon'ble Mr. Goode:—

"(*a*) Yes.

(*b*) and (*c*) The Director of Public Instruction reports that in February, 1918, the Principal recommended the appointment of an *additional* librarian on Rs. 50, but the proposal could not be entertained mainly owing to financial stringency. The Principal re-opened the question in July last. Mr. Dunn decided that the whole question of the pay of librarians in Government colleges should be reviewed. This has been done, and the Director of Public Instruction will shortly submit proposals to Government with regard to Rajshahi and certain other colleges, which also have only one librarian.

(*d*) A statement is laid on the table."

Statement referred to in the answer by the HON'BLE MR. GOODE *to question No. III (starred) asked by the* HON'BLE BABU KISHORI MOHAN CHAUDHURI *at the Council meeting of the 19th November, 1919, showing the present staff of the Library of the Presidency, Dacca and Rajshahi Colleges.*

		Rs.	
Presidency College	1 Librarian ...	75	(Class VI. Subordinate Educational Service.)
	1 Assistant Librarian ...	50	(Outside the Graded Service.)
	1 Ditto ...	45	(Ditto.)
	1 Ditto ...	30—1—35	(Class II. Lower Subordinate Educational Service.)
	4		
Dacca College ...	1 Librarian ...	250	(Class VII. Provincial Educational Service.)
	1 Assistant Librarian ...	30—1—35	(Class II. Lower Subordinate Educational Service.)
	1 Assistant Librarian (Science Library) ...	15—1—20	(Class V. Lower Subordinate Educational Service.)
	3		
Rajshahi College	1 Librarian ...	20—1—25	(Class IV. Lower Subordinate Educational Service.)

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***IV.**

(*a*) Are the Government aware that in all Government Colleges in Bengal, except the Rajshahi College, there is a gymnastic and games teacher? Want of a gymnastic and games teacher in the Rajshahi College.

(*b*) Are the Government aware that the Principal applied for the creation of the post of a gymnastic and games master, but that the application was rejected by the Director of Public Instruction?

Answer by the Hon'ble Mr. Goode:—

" (*a*) Yes at all except the Sanskrit College.

(*b*) The Principal applied for the creation of a post in 1915, but the Director of Public Instruction could not entertain the proposal on account of financial stringency. Arrangements were, however, made by the Principal so that all the college students could take part in some form of physical exercise. The Principal reopened the question in August last, and the proposal is now under the consideration of Government."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***V.**

Status of Teacher of Economics in the Rajshahi College.

(*a*) Are the Government aware of the fact that Economics has been taught in the Rajshahi College in the B. A. Pass Course for the last 7 or 8 years and that its teacher is a member of the Subordinate Educational Service?

(*b*) Is it a fact that since the beginning of the current session extension in affiliation in the Pass Economics has been granted to the Hooghly and Chittagong Colleges and that the teachers in this subject in the latter Colleges are members of the Provincial Educational Service?

(*c*) Is it a fact that the Principal of the Rajshahi College proposed to the Director of Public Instruction that the post of Teacher of Economics in the Rajshahi College might be filled by a member of the Provincial Educational Service as in the smaller Colleges at Hooghly and Krishnagar, but that the Director of Public Instruction disapproved of the Principal's proposal?

(*d*) Will the Government be pleased to state the reason for this differential treatment by the Director of Public Instruction, and whether there is any general principle by which he is guided in matters relating to the staff, equipment, contingent grant, etc., of Colleges?

Answer by the Hon'ble Mr. Goode:—

" (*a*), (*b*) and (*c*) The reply is in the affirmative.

(*d*) In the case of two of the other colleges referred to, it was considered necessary to obtain a professor, who could also lecture in history.

In the case of Hooghly College, the University Inspectors insisted on a professor with high qualifications being appointed and an M.A. of the 1st class was only obtainable at Provincial Educational Service rates. The Director of Public Instruction cannot adhere to general principles in settling matters relating to the staff, equipment, contingent grant, etc., of Colleges. He must be guided by the special needs of each College and also by financial considerations."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VI.**

The cyclone in East Bengal.

(*a*) Will the Government be pleased to lay on the table a statement giving full information as to the extent and nature of the losses caused by the late cyclone in East Bengal, and the steps that have been taken, or are being taken, both official and non-official, for alleviating the distress of the people?

(*b*) Will the Government be pleased to state whether timely warning of the advent of the cyclone was given to the people in the affected area?

(*c*) If not, what were the reasons of the failure to give such information and what action, if any, have the Government taken in the matter?

(*d*) Was there any difference in the information supplied by the Simla and Calcutta Meteorological Observatories?

(*e*) If so, what was the reason for this difference, and what measures have the Government taken to prevent a repetition of similar mistakes in future?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) to (*e*) The Hon'ble Member is referred to the replies to questions No. 3 (Unstarred) and No. I (Starred)."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VII.**

Are the Government considering the advisability of starting, under departmental supervision and with Government help, co-operative cloth shops, paddy granaries and jute godowns in different centres on suitable scales for the benefit of the poorer sections of the people of the Presidency? Opening of co-operative cloth shops, etc.

Answer by the Hon'ble Mr. McAlpin:—

"The answer is in the negative."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VIII.**

(*a*) Are the Government in a position to state why the jute market has suddenly become dull? The jute market.

(*b*) Is it due to any transport difficulty?

(*c*) If so, what is the cause of this difficulty and what steps are the Government taking to remedy it?

(*d*) Are the Government aware of the opinion that has been expressed that the dullness of the market may be due to profiteering?

(*e*) What action, if any, are the Government taking to prevent profiteering?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Owing to the absence of foreign demand.

(*b*) Not so far as Government are aware.

(*c*) The absence of foreign demand is understood to be due mainly to labour difficulties in England and America and in a minor degree to high freight and a high and fluctuating rate of exchange. The foreign market is the key to the situation.

(*d*) Government are not aware that the opinion has been expressed that the dullness of the market is due to profiteering. Moreover the facts and the eager competition amongst sellers to clear stocks indicate the reverse of profiteering.

(*e*) In view of the answer to question (*d*) this question does not arise."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***IX.**

(*a*) Are the Government aware that the price of cloth is still very high? Price of cloth.

(*b*) Have the Government made any inquiries to ascertain whether there is any chance of the high prices going down at an early date, or what measures should be adopted for controlling the market?

(*c*) Have the Government considered the desirability of arranging for the direct supply to each district of certain quantities of cloth for the benefit of the poorer classes of the people?

Answer by the Hon'ble Mr. Payne:—

"(*a*) The price of cloth, though still high, has shown no very marked variation since the beginning of the current year.

(*b*) The Hon'ble Member is referred to the press *communiqué* issued by the Government of India on the 28th October, 1919, a copy of which is laid on the table. The trend of prices is being carefully watched, but further action is not at present contemplated.

(*c*) The Hon'ble Member is referred to the answer given to question No XIII (*b*) asked by him at the Council meeting of the 3rd September last. The cloth referred to in that answer was not needed for the purpose then contemplated, as there was no marked rise of price; and the greater part of it was used for the relief of those who suffered from the cyclone in Eastern Bengal. Arrangements have been made for the free distribution of a limited quantity of cloth to the poor in every district and also in Calcutta at the time of the Peace celebrations."

Press Communique referred to in the answer by the Hon'ble MR. PAYNE *in his reply to clause* (*b*) *of Question No. IX.*

Since the provisions of the Cotton Cloth Act were formally put into operation in February last, there have been no violent fluctuations in the price of cloth, the trend of which over the whole period has been in a downward direction. During the last few weeks prices have risen in Bombay, mainly as a result of increased demand due to the favourable monsoon conditions, but indications point to an approach to a level which may be regarded as normal in post-war conditions. In these circumstances and in view of the fact that as stated in a reply to a question asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi in the Imperial Legislative Council on September 25th, the Governments of the United Provinces and Bihar and Orissa, in which the shortage of cloth was originally most acute, have still large stocks of standard cloth on hand and that arrangements have been made by the Controller of Cotton Cloth to ensure a supply of standard cloth to the Punjab and Assam where there is still a demand for it, the Government of India have decided that Cotton Cloth Control should be placed in abeyance for the present. The Cotton Cloth Act will, however, remain in force and its provisions will again be put into operation, should speculation in cloth or any other cause force prices up to such a point as to render this desirable. Mr. F. Noyce, I.C.S., Controller of Cotton Cloth, has joined the Indian Sugar Committee as Vice-President, but will remain in charge of the work connected with cloth control until it is finally wound up at the end of November. A full report on the operations will be published shortly.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***X.**

Prevention of the pollution of the Bhagirathi

Will the Government be pleased to state what steps they are taking in connection with the inquiry for the prevention of the pollution of the Bhagirathi by septic tank discharges?

Answer by the Hon'ble Mr. Goode:—

"A special deputy sanitary commissioner, a bacteriologist and a chemist together with a subordinate establishment commenced work in April. A motor launch was obtained for their use and both banks of the river have

also been carefully surveyed. Samples of water from various points along the river, and samples of effluents entering the river are being systematically examined. Up to the present 843 samples of water have been examined bacteriologically and 596 chemically and 137 samples of effluents derived from septic tanks and drains have also been analysed. Maps are being prepared showing the points at which pollution of the river is taking place, and the sources of this pollution; and data are being collected to enable us to decide their relative importance and the steps that may be necessary for their control."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XI.**

Rates of pay of Government subordinates, etc

(*a*) Are the Government considering the advisability of issuing orders directing the appointment of a Salaries Committee to examine generally the adequacy or otherwise of the rates of pay of Government subordinates and menial establishments in various departments, including village officers and others whose cases were not dealt with by the Royal Commission on Public Services in India?

(*b*) Are the Government aware of the action adopted by the Madras Government in this connection?

Answer by the Hon'ble Mr. Payne:—

"(*a*) Proposals for the improvement of the pay of menials have already been submitted to the Government of India and the question of assimilating the pay of ministerial officers in Eastern and Western Bengal is under consideration. Beyond this, no general inquiry is at present contemplated and in the existing abnormal economical conditions, and while uncertainty exists as to the future financial resources of the province, the time for such an inquiry is scarcely opportune.

(*b*) Yes."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XII.**

Appointment of Commissioners for the Amta Drainage Scheme

(*a*) Will the Government be pleased to state whether the Commissioners for the Amta Drainage Scheme have been appointed?

(*b*) If not, will the Government be pleased to state whether these appointments will be made at an early date?

Answer by the Hon'ble Mr. Goode:—

"(*a*) Yes.

(*b*) The question does not arise."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XIII.**

ew rules under ie Indian rms Act.

(*a*) Is it within the contemplation of the Government to issue subsidiary orders in regard to the new rules under the Indian Arms Act?

(*b*) If so, when are these orders likely to be published?

(*c*) Will the Government be pleased to state the qualifications that will be required of the big zamindars and other respectable persons in Bengal, to enable them to be exempted from the necessity of taking out licenses for firearms in their possession?

Answer by the Hon'ble Mr. Payne:—

"(*a*) and (*b*) The local Government contemplate publishing subsidiary orders as soon as possible after the issue by the Government of India of the revised Rules and Schedules under the Indian Arms Act. It is impossible at present to specify a date on which these subsidiary orders will be published.

(*c*) Pending such publication Government are not prepared to make a statement on this point."

By the Hon'ble Babu Bhabendra Chandra Ray:—

***XIV.**

Treatment of Bengal as a surplus Province in the matter of rice

(*a*) With reference to the answer to my unstarred question No. 18(*b*) of the 12th August, 1919, stating that no definite date can be assigned to the decision of the Government of India to treat Bengal as a "surplus province," and also with reference to the reply to my unstarred question No. 29 (*c*) of the 3rd September, 1919, are the Government aware that in reply to a question put by the Hon'ble Maharaja of Kassimbazar on the 10th September, 1919, in the Indian Legislative Council, the Government of India stated that the said decision was arrived at "as a result of a conference held at Delhi in October, 1918, at which a representative of the Government of Bengal was present"?

(*b*) Will the Government also be pleased to refer to the reply given by them to my unstarred question No. 29 of the 3rd September, 1919, particularly the statement that "the Director of Civil Supplies, Bengal, attended (the conferences held at Nagpur and Delhi in August and October, 1918, respectively) with the permission of the Government of Bengal, but not as their representative," as also to the reply given by the Government of India to the said question of the Hon'ble Maharaja of Kassimbazar, particularly the statement that a representative of the Government of Bengal was present at the conference, and that the decision to treat Bengal as a "surplus province" was arrived at "as a result of the estimate of surplus stocks of rice available in Bengal which was supplied by the Bengal representative at the conference" held at Delhi?

(*c*) Has the attention of Government been drawn to the proceedings of the said conferences held at Nagpur and Delhi, which were laid on the table of the Indian Legislative Council in reply to another question by the Maharaja of Kassimbazar on the 10th September last, particularly the two opening addresses delivered by Sir Claude Hill who presided at these conferences, in which he described and treated the provincial members present as representatives of the different Provincial Governments?

(*d*) Will the Government be pleased to explain the apparent contradiction involved in the statements made by the Government of India and the Government of Bengal, respectively, in regard to the capacity in which the then Director of Civil Supplies (Mr. Beadel) attended the said conferences?

(*e*) Is it not a fact that action was taken at the Delhi conference upon the statement made by Mr. Beadel, then Director of Civil Supplies, Bengal, that Bengal's exportable surplus, during the period November, 1918, to April, 1919, was 240,000 tons of rice?

(*f*) Is it not also a fact that at the Nagpur conference (which preceded the Delhi conference) Mr. Beadel stated "that in Bengal the prospects are fairly good and the total exportable surplus of Bengal rice may be estimated to be 300,000 tons, of which 60,000 were in Calcutta and the rest chiefly in Birbhum, Midnapore and Burdwan"?

(*g*) Will the Government be pleased to state whether these statements were made by Mr. Beadel on his personal responsibility?

(*h*) Will the Government be pleased to state on what data these calculations were based?

(*i*) When were these statements made by Mr. Beadel first brought to the notice of Government, and what steps have Government made since then to ascertain the correctness or otherwise of the same, and with what result?

(*j*) How far are these statements reliable in view of the elements of inaccuracy in agricultural statistics and incompleteness of certain trade returns, admitted by Government in reply to my unstarred question No. 26 of the 3rd September, 1919?

(*k*) Has the attention of Government been drawn to that part of the said proceedings of the conferences in which the standard of individual requirements in food-grains was fixed at one fifth ton per head per year?

(*l*) Is it a fact that Mr. Beadel (Bengal) was a member of the sub-committee which was appointed to determine the said standard?

(*m*) With reference to the statement made by Government in reply to my unstarred question No. 17 of the 12th August, 1919, that "there is ground for believing that this (the standard of one fifth ton per head per annum) is an overestimate," will the Government be pleased to indicate the considerations on which they differ from the said conferences in entertaining this belief?

(*n*) Is it a fact that while the Government of Bengal accept a lower standard for calculation, the other provinces that have been allowed to import rice from Bengal, under the system of control, have based the calculations of their requirements on the standard of one-fifth ton?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes; but the statement in the reply made on behalf of this Government was as follows:—

'The Government of Bengal are not in a position to answer the question on behalf of the Government of India or the Food-stuffs Commissioner, but they understand that no definite date can be assigned to such a decision.'

(*b*) Government have referred to the papers in question.

(*c*) The attention of Government has been drawn to the proceedings of the conferences and to the reply referred to.

(*d*) Such words as ' representatives of the different Provincial Governments ' can be used in different senses. They were used by the Government of Bengal in the sense that the Director of Civil Supplies was neither requested nor authorised to represent the views of this Government.

(*e*) The question is not clear. The proceedings do not appear to contain any reference to any action which can be definitely assigned to such a statement.

(*f*) Yes.

(*g*) Any statements made by Mr. Beadel were made on his personal responsibility.

(*h*) The estimate given at Nagpur was based on information from different Indian merchants; that given at Delhi was based on similar information, information supplied by District Officers and information gathered in the chief rice-producing centres of Bengal. The estimates were estimates of the amounts which at the time of their preparation the trade would be likely to export from Bengal.

(*i*) In October 1918. An inquiry was started as to the accuracy of these figures, but was dropped as unnecessary on receipt of orders to make detailed inquiries into the larger question of the amount of food-stocks in the Province. The orders arose out of the first resolution of the Delhi conference.

(*j*) The question does not seem to arise as these agricultural statistics or returns were not used in the compilation of the estimates.

(*k*), (*l*), (*m*) and (*n*) The attention of Government has been drawn to that part of the proceedings of the Delhi conference in which the standard of one-fifth ton per head per year was taken, not fixed, as a provisional basis. Mr. Beadel was a member of the sub-committee by which, *inter alia*, the said standard was adopted. Government have no official information on the subject, but so far as they are aware the standard provisionally adopted has been generally abandoned. In this connection the Hon'ble Member is referred to the answer to question No. 22 put by him in Council on the 3rd September, 1919."

By the Hon'ble Babu Bhabendra Chandra Ray:—

***XV.**

Consumption and sale of Burma rice.

(*a*) Will the Government be pleased to make a statement showing, month by month, the quantities of controlled Burma rice absorbed by the different districts of Bengal?

(*b*) What arrangements are there in the different localities for the retail sale of controlled Burma rice, and for ensuring such sale strictly at controlled rates?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) Two statements are laid on the table.

(*b*) A statement is laid on the table containing information called for up to the 27th September, 1919. Only persons or bodies of persons approved by the Collector who agreed to sell at controlled rates were allowed to import Burma rice No other arrangements were in force generally."

Statements referred to in the answer by the HON'BLE MR. MCALPIN *to Question No. XV (starred) asked by the* HON'BLE BABU BHABENDRA CHANDRA RAY *at the Council meeting of the 19th November, 1919.*

Statement showing month by month quantities of controlled Burma rice despatched from Calcutta to the different districts of Bengal.

(Figures are in Maunds.)

	Districts.	June.	July.	August	September	October	November up to 12th	Total
1.	Bakarganj ...	...	...	3,054	49,906	36,833	19,039	108,832
2.	Bankura ...	2,000	...	..	...	..	.	2,000
3.	Bogra ...	...	...	6,014	22,534	24,247	640	53,435
4	Burdwan ...	450	2,300	5,150	14,061	520	441	22,925
5	Calcutta ...	7,810	3,702	15,958	122,391	41,258	8,519	199,638
6	Dacca ...	...	4,366	20,130	140,764	131,326	22,586	319,172
7	Darjeeling ...	21,776	13,707	9,472	48,629	52,556	2,586	148,726
8	Dinajpur ...	...	...	...	1,800	1,380	...	3,180
9.	Faridpur ...	460	375	600	20,234	44,585	1,702	67,956
10	Howrah ...	...	...	...	15,094	2,722	...	17,816
11.	Hooghly ...	...	6,000	...	7,568	4,472	1,000	19,040
12	Jalpaiguri ..	...	..	...	8,944	16,494	1,993	27,431
13	Jessore ...	...	...	2,080	8,468	18,626	320	29,494
14.	Khulna ...	...	...	3,792	20,912	63,556	1,560	89,670
15	Malda ...	...	...	...	600	...	.	600
16.	Midnapore ...	...	...	..	4,000	...	...	4,000
17	Murshidabad ...	...	..	860	4,106	...	...	4,966
18	Mymensingh ...	...	...	3,080	161,614	313,125	54,064	531,883
19.	Nadia ...	...	..	...	1,354	800	...	2,154
20.	Pabna ...	...	..	150	23,748	15,915	1,880	41,693
21.	Rajshahi ...	1,000	...	956	4,738	3,021	500	10,215
22	Rangpur ...	...	...	...	6,574	6,320	2,888	15,782
23.	Tippera ...	...	...	...	25,822	...	...	25,822
24	24-Parganas ...	...	...	...	14,966	19,470	34,972	69,408
	Total ...	33,496	30,450	71,506	728,833	797,226	154,627	1,816,138

NOTE.—Birbhum, Noakhali, Chittagong, Chittagong Hill Tract took no controlled Burma rice from Calcutta

Statement of rice controlled and uncontrolled despatched by rail from Chittagong.

(Figures are in Maunds.)

Districts.	June.	July.	August.	September.	October.	Total.
Mymensingh	810	1,620	17,674	20,580	31,255	71,939
Dacca ...	1,381	7,925	5,739	3,764	10,074	28,883
Tippera ...	75,450	134,252	177,675	211,237	329,446	928,060
Noakhali ...	17,165	12,811	10,023	4,062	30,257	74,318
Total ...	...	...	...	...	...	1,103,200

NOTE.—(1) Separate figures for controlled rice are not available.

(2) Precise information as to the amount of Burma rice absorbed in Chittagong district is not available. It is believed that up to the time when control was introduced rather less than one-third of the total imports or between five and six lakhs of maunds were absorbed by Chittagong district. After control was introduced the amount of Burma rice allotted to Chittagong district was 143,073 maunds between 17th September 1919 and 25th October 1919.

Statement showing arrangements for the retail sale of controlled Burma rice in different districts up to 1st October 1919.

BURDWAN DIVISION.

Burdwan District.

(1) Burdwan District Board (shops).
(2) Burdwan Municipality.
(3) Asansol Municipality.
(4) Raniganj Municipality (through two Marwari nominees).
(5) Four licensed importers.

Bankura District.

(1) Bankura District Board.
(2) Bankura District Famine Relief Committee.

Midnapore District.

(1) Midnapore District Board.
(2) Midnapore Municipality (through dealers approved by Municipality).
(3) Dealers in Ghatal sub-division approved by Subdivisional Officer.
(4) Tamluk Local Board (through co-operation of local gentlemen).

Hooghly District.

(1) Hooghly District Board.
(2) Champdani Municipality.
(3) Bansbaria Municipality.
(4) Managers of eight jute mills.

Howrah District.

(1) Howrah District Board.
(2) The Co-operative Store at Ulubaria affiliated to the Central Co-operative Bank.
(3) Five licensed importers.

PRESIDENCY DIVISION.

24-Parganas District.

(1) 24-Parganas District Board.
(2) Kanchrapara Municipality.
(3) South Dum-Dum Municipality.
(4) Budge-Budge Municipality.
(5) Baranagore Municipality.
(6) Jute and Paper Mills for their employees.
(7) Co-operative Societies.
(8) Licensed importers.

Nadia District.

(1) Nadia District Board.
(2) Nadia Central Co-operative Bank, Krishnagar.
(3) Three licensed importers.

Murshidabad District.

(1) Berhampore Co-operative Bank.
(2) Lalbagh Rice Committee.
(3) Four licensed importers.

Jessore District.

(1) Jessore Banking and Trading Co.
(2) Four licensed importers.

Khulna District.

(1) Khulna District Board.
(2) Khulna Municipality.
(3) Khulna Relief Committee.
(4) Co-operative Stores, Khulna and Bagerhat, and Central Bank, Bagerhat.
(5) Khulna Loan Co., Ld.
(6) Six licensed importers.

DACCA DIVISION.

Dacca District.

(1) Dacca District Board for sale through Union Committees, Sub-Registrars and Presidents of Panchayets.
(2) Dacca Municipality for sale through its own staff at different centres.
(3) Bikrampur Central Co-operative Society, Munshiganj.
(4) Seven local Committees, viz., (*i*) Dacca Rice Committee, (*ii*) Nawabpur Relief Committee, Dacca, (*iii*) Munshiganj Rice Committee, (*iv*) Dacca Bar Library Relief Committee, (*v*) Narayanganj Rice Committee, (*vi*) Manikganj Rice Committee and (*vii*) Dhamrai Rice Committee.
(5) Firms at Narayanganj.
(6) Forty licensed importers.

Mymensingh District.

(1) Jamalpur Co-operative Society.
(2) Kishorganj Central Co-operative Bank.
(3) Kishorganj Loan Office, Ld.
(4) One hundred and nineteen licensed importers.

Faridpur District.

(1) Faridpur District Board.
(2) (*i*) Faridpur Central Co-operative Bank.
(*ii*) Goalundo Central Co-operative Bank.
(*iii*) Madaripur Central Co-operative Bank.
(*iv*) Gopalganj Central Co-operative Bank.
(3) Four Loan Banks in Madaripur, viz., (*i*) Madaripur Commercial Bank, (*ii*) Madaripur Popular Banking and Loan Co., Ld., (*iii*) Madaripur Loan Office and (*iv*) Madaripur Bank, Ld.
(4) Madaripur Union Jute Co.
(5) Eighteen licensed importers and seven relief committees in the Sadar and Madaripur subdivisions.

Bakarganj District.

(1) Bakarganj District Board.
(2) Barisal and Jhalakati Municipalities.
(3) Co-operative Supply Society, Sundarbans.
(4) Barisal Loan Office.
(5) Bar Librarios, Barisal, Pirojpur, Patuakhali and Bhola.
(6) Ten licensed importers.

CHITTAGONG DIVISION.

Chittagong District.

About 12 licensed importers and Co-operative Banks and School Associations.

Tippera District.

(1) Mrs. K. C. De's Divisional Relief Committee.
(2) Six licensed importers.

Noakhali District.

(1) Three Rice Committees, one at Noakhali, one at Lakhipur and one at Feni.
(2) Twenty-one licensed importers.

RAJSHAHI DIVISION.

Rajshahi District.

(1) Two Societies, viz., (*i*) Naogaon Co-operative Supply and Sale Society and (*ii*) Islamia Bank, Naogaon.
(2) Nineteen licensed importers.

Dinajpur District.

(1) Balurghat Co-operative Bank.
(2) Eleven licensed importers.

Jalpaiguri District.

(1) Jalpaiguri District Board.
(2) Eleven licensed importers.
(3) Tea Garden Managers.

Rangpur District.

(1) Rangpur District Board.
(2) Local Boards, Kurigram, Nilphamari and Gaibandha.
(3) Rangpur Municipality.
(4) (*i*) Gaibandha Central Co-operative Bank.
(*ii*) Nilphamari Central Co-operative Bank.
(5) (*i*) Rangpur Loan Office.
(*ii*) Mahiganj Loan Office.
(*iii*) Nilphamari Trading and Banking Co., Ld.
(6) Twenty-one licensed importers.

Bogra District.

(1) Co-operative Central Bank, Bogra.
(2) (*i*) Bogra Loan Office, Ld.
(*ii*) Naukhila Loan Co., Ld.
(3) Twenty agencies for sale of controlled rice.

Pabna District.

(1) Pabna Co-operative Urban Bank.
(2) Pabna Dhan Bhandar, Ld.
(3) Twelve licensed importers.

Malda District.

(1) Malda Co-operative Industrial Bank.
(2) Old Malda Municipality.
(3) One licensed importer.

Darjeeling District.

(1) Tea Garden Managers.
(2) Twenty-three licensed importers.

By the Hon'ble Babu Surendra Nath Ray:—

***XVI.**

(*a*) Is it a fact that about the first or second week of July last, a man was found inside the out-door ward of the Mayo Hospital who desired admission to the hospital, and that the Doctor informed him that he could not be admitted as no bed was available?

Alleged dereliction of duty on the part of the Doctor in charge of the Mayo Hospital.

(*b*) Is it also a fact that though the man could not move and was lying on the floor, the Doctor in charge asked the man to go out of the hospital?

(*c*) Is it also a fact that he was then carried bodily and placed on the footpath in front of the Mayo Hospital?

(*d*) Is it a fact that the deceased lay there till the next morning when a passer-by 'phoned for an ambulance and that he was removed to the Campbell Hospital, where he died?

(*e*) Whose duty was it to arrange for the removal of the deceased to the Campbell Hospital, or any other hospital, when it was found that there was no accommodation in the Mayo Hospital?

(*f*) Are the Government aware of the opinion that has been expressed that it was a dereliction of duty on the part of the Doctor in charge of the Mayo Hospital in having the deceased, who could not move and was lying on the floor, removed bodily to the footpath?

(*g*) Has the conduct of the Doctor the approval of Government? If not, what steps are the Government taking in the matter?

(*h*) Are the Government considering the desirability of issuing instructions to all Doctors in charge of hospitals, like that of the Mayo Hospital, that when there is no bed vacant in the hospital, proper steps be taken for sending such patients as are incapable of moving or are very unwell, to the Campbell Hospital or any other hospital?

Answer by the Hon'ble Mr. Payne:—

" (*a*) On the night of the 25th June, 1919, a man applied for admission to the Mayo Hospital, and admission was refused by Dr. C. H. Banerjee, the House Surgeon on duty.

(*b*) There is no evidence to show that the man could not move. The House Surgeon states that he examined him and did not consider that he required medical treatment. The Surgeon General and the Commissioner of Police, Calcutta, made a special inquiry into the matter and are of opinion that the House Surgeon should have admitted the man into the hospital.

(*c*) The man was helped out of the hospital by two ward coolies and placed on the footpath.

(*d*) The man lay on the footpath all night and was found in the morning with a wound on his forehead. He was then removed in an ambulance to the Campbell Hospital, where he died.

(*e*) The reason assigned by the House Surgeon for the non-admission of the deceased was not so much the want of accommodation as that he considered that the man did not require medical treatment. As already stated, the officers who conducted the inquiry do not agree with the conclusion of the House Surgeon in this respect.

(*f*) and (*g*) The Surgeon-General and the Commissioner of Police consider that the House Surgeon was guilty of dereliction of duty in not admitting the deceased to the hospital. The House Surgeon is not a Government servant, but Government have reported the matter to the Governors of the Mayo Hospital, under whom he is serving.

(*h*) The rules of the Mayo Hospital provide that all urgent and emergent cases (with the exception of certain specified infectious diseases) should be admitted. This is a general rule in all hospitals, but the Surgeon-General is issuing a circular drawing special attention to this rule and emphasising that such cases must be admitted and accommodated somehow, whether there is a vacant bed or not."

UNSTARRED QUESTIONS.

(Answers to which were laid on the table)

By the Hon'ble Babu Akhil Chandra Datta:—

1.

(*a*) Will the Government be pleased to lay on the table a statement giving the following particulars about water-works in Bengal, namely: Water works in Bengal

(*1*) the municipal towns in Bengal which possess water works,
(*2*) the year in which water-works were introduced into each town;
(*3*) the initial capital required in each case;
(*4*) what portion or percentage of the initial expenditure was contributed by the Government by way of loan or donation,
(*5*) what portion or percentage was contributed by the municipality concerned;
(*6*) what portion, if any, was contributed by the District Board,
(*7*) what portion, if any, was raised by public subscription;
(*8*) what is the recurring expenditure involved in the case of each municipality, and
(*9*) what arrangement has been made in each case for meeting this additional recurring expenditure? If by additional taxation what was the rate of the assessment?

(*b*) What is the amount, if any, which has now accumulated in the hands of the Government of Bengal for the purposes of sanitation?

(*c*) What is the principle which, now that the war is over, the Government are adopting as to the disposal and utilisation of this amount?

(*d*) What portion or percentage of this amount are the Government devoting towards the introduction of water works within the municipalities of Bengal?

(*e*) What are the municipal towns in Bengal which according to the Government, are badly in need of water works?

(*f*) Will the Government be pleased to mention their names in order of the degree of their necessity for water works?

(*g*) How many schemes for water works are now awaiting the administrative sanction of the Government?

(*h*) To what municipalities do they relate?

(*i*) Is it in the contemplation of the Government to start water works in any municipalities in the year 1920-21?

(*j*) Are the Government considering the desirability of making a provision in next year's budget for water-works in the Comilla Municipality?

Answer by the Hon'ble Mr. Goode:

"(*a*) A statement is laid on the table furnishing the required information.

(*b*) The unspent balances of the Imperial assignments on sanitation now amount to Rs. 64,04,523.

(*c*) No definite principle has been laid down for the utilisation of this balance, but it is expected that the greater portion of it will be spent as soon as possible on matured schemes which have been sanctioned by the Government.

(*d*) No percentage of these balances has been earmarked for the introduction of water-works within the municipalities of Bengal.

(*e*) and(*f*) Bhatpara, Midnapur, Krishnagar, Asansol, Raneegunge, Comilla, Rangamati, Faridpur and Suri.

(*g*) Two.

(*h*) Midnapur and Noakhali.

(*i*) It is hoped that provision may be made in the budget of 1920-21 for water-works in the following municipalities:—Raneegunge, Asansol, Bhatpara, Rangamati, Comilla, Chandpur and Faridpur.

(*j*) Yes."

Statement referred to in the answer by the HON'BLE MR. GOODE *to question No. 1 (uns asked by the* HON'BLE BABU AKHIL CHANDRA DATTA *at the Council meeting of th November, 1919, showing names of municipal towns in Bengal which possess works.*

Serial No	(a. 1) Names of municipal towns in Bengal which possess water-works	(a. 2) Year in which water-works were introduced in each town	(a. 3) Initial capital required in each case	(a. 4) WHAT PORTION OR PERCENTAGE OF THE INITIAL EXPENDITURE WAS CONTRIBUTED BY THE GOVERNMENT BY WAY OF LOAN OR DONATION — Loan	Donation	Total	(a. 5) Contributed by the Municipality concerned	(a. 6) Contributed by the District Board	(a. 7) Raised by public subscription	(a. 8) Recurring expenditure on maintenance cost during 1918	(a. 9) Arrangements meeting maintenance and percentage water
			Rs	Per cent	Per cent	Per cent	Per cent	Per cent	Per cent	Rs	Water-rates the annual of holdings-
1	Dacca	1878	10,20,133	41·2	38·4	79·6	4·2	Nil	13·2	33,607	at 2 and 5 per
2	Burdwan	1881	2,35,500	52·8	21·3	74·1	4·6	Nil	21·3	25,362	,, 6 and 7½ pe
3	Mymensingh	1893	1,42,796					21	79	19,138	,, 5½, 6¼ an cent
4	Howrah	1896	15,07,822	100	...	100				1,09,313	,, 5 and 6 per
5	Patuakhali	1898	2,201				Not known				
6	Berhampore	1899	2,28,883		...				100	12,228	,, 7½ per cen
7	Kurseong	1907	54,588	64·1	27·5	91·6	8·4			4,621	,, 5 and 7½
8	Darjeeling	1907	1,98,000	100						6,206	,, 2¾ per cent
9	Khulna	1907	40,600	32·0	34·4	66·4	2·6	16·7	14·3	3,863	,, 6 and 1 per
10	Faridpur	1908	12,000				Not known				
11	Narayanganj	1908	2,08,500	83·9	16	99·9				17,871	,, 6 per cent
12	Chandpur	1912	27,500	54·6	23·7	78·3	18·2		3·5	4,180	,, 6½ per cent
13	Barisal	1912	1,88,000	25·5	34·6	60·1	2·7	21·3	15·9	9,521	,, 6 and 7 per
14	Jessore	1914	1,54,000	42·2	35·1	77·3	...	6·5	16·2	6,144	,, 6½ and 6 pe
15	Hooghly-Chinsura	1914	6,05,500	28·9	41·4	70·3	1·5	..	28·2	22,450	,, 5½ and 6½
16	Serampore	1914	1,63,437	24·5	30·6	55·1	17·4	3·0	24·5	20,605	,, 6 and 7½ pe
17	Bankura	1916	55,466	46·9	32·5	79·4	9·8	10·8		4,918	,, 4½ and 6 pe
18	Chittagong	1916	3,58,796	41·6	55·9	97·5	2·5			38,519	,, 5¾ per cent
19	Uttarpara	1918	1,50,546	16·6	29·8	46·4	6·0	..	47·6	..	
20	Naton	1919	88,200	..	60·1	54·1	3·4	17·0	29·5	...	Opened recent
21	Satkhira	1919	67,000		53·8	53·8		7·4	38·8	...	
											Water-ra the annual holdings—
22	Cossipore-Chitpur	1894	1,27,366	..	...	...	100			..	at 4 per cent
23	Garden Reach	1903	60,410	74·4	..	74·4	25·6		..	..	,, 3½ per cent
24	South Suburban	1904	62,171	46·6	19·3	65·9	34·1		...		,, 3 per cent
25	Tollygunge	1909	23,638	97·3	...	97·3	2·7	..	..	...	,, 4¼ and 5½ cent
26	Maniktala	1912	1,01,974	98·0	...	98·0	2·0		...	...	,, 5 and 7 per
27	Garulia	1904	7,160	69·8	30·2	100·0	...		...	..	
28	Titaghar	1905	17,929	72·5	...	72·5	27·5	...	...		
29	Bhatpara	1906	27,384	73·0	..	73·0	27·0				
30	Bhadreswar		Not known								
31	Champdany										
32	Naihati	1911	14,057	35·6	35·6	71·2	21·7		7·1	...	
33	Baranagar	1918	..	...	..	...	...	...	...	...	

* Supplied from Calcutta Water-works. † Supplied from local mills.

By the Hon'ble Babu Akhil Chandra Datta:—

2.

Waiting-room for the Inter and Third Class female passengers at Akhaura Junction.

(*a*) Are the Government aware that there is no waiting room for the Inter and Third Class female passengers at Akhaura Junction on the Assam-Bengal Railway line?

(*b*) Are the Government aware that female passengers coming from the Ashuganj branch, and particularly those who travel by the "Surma Mail Trains," have to spend several hours at night at Akhaura?

(*c*) Are the Government aware that the inconvenience and discomfort to female passengers are intensified during the rains?

(*d*) What steps (if any) are the Government taking to remove these grievances?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) It has been ascertained from the Assam-Bengal Railway administration that there is a good and large waiting hall for Third Class passengers, but that no separate waiting-room has been set apart for the use of females travelling as Inter and Third Class passengers.

(*b*) Yes. Good connections have, however, been arranged for the slow trains.

(*c*) No. A good general Third Class waiting-hall is provided at Akhaura.

(*d*) It has been ascertained that the Assam Bengal Railway do not contemplate the provision of separate Inter and Third Class waiting rooms for female passengers at Akhaura station."

By the Hon'ble Babu Akhil Chandra Datta:—

3.

The cyclone in East Bengal.

(*a*) Will the Government be pleased to state, district by district

(*i*) the number of deaths caused by the cyclone of the 24th September last; and

(*ii*) the extent and nature of the loss caused to different kinds of property by the said cyclone, as accurately as the information available to Government permits?

(*b*) Will the Government be pleased to state whether the Meteorological offices at Simla and elsewhere received a premonition that a cyclone would be coming or was likely to come, on or about the 24th September last?

(*c*) If so, did the Government take any immediate and adequate step for warning the people about the approaching danger?

(*d*) If so, will the Government be pleased to describe the precautionary measures adopted for the protection of life and property?

(*e*) If no precautionary measures were adopted, who are the persons responsible for this default?

(*f*) What is the approximate annual expenditure incurred by the Government for the maintenance of the Meteorological Department?

(*g*) What was the amount actually expended last year?

(*h*) Are the Government aware of a feeling in the country that a considerable portion of the loss both in person and property could have been averted if prompt and suitable steps had been taken to warn the people of the coming cyclone?

(*i*) Are the Government considering the advisability of instituting a satisfactory system of storm warnings along the whole length of the country likely to be affected?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The Hon'ble Member is referred to the *communiqués* of the 13th October and the 7th November, 1919, copies of which are placed on the library table

(*b*) to (*e*) The Hon'ble Member is referred to the reply to starred question No. 1

(*f*) and (*g*) The expenditure on the Meteorological Department is wholly borne by the Government of India. The approximate annual expenditure on the Observatory in Calcutta, as shown in the budget of the Government of India, is half a lakh of rupees The revised expenditure for 1918-19 was Rs 51,390

(*h*) Government are aware of comments in the press on the subject.

(*i*) The Hon'ble Member is referred to the *communiqué* of the 14th October, of which a copy is placed on the library table, which shows that such a system exists and why warnings of the intensity at the centre of the cyclone could not be given Danger signals were, however, hoisted at Narayanganj and other places in the track of the storm."

By the Hon'ble Babu Akhil Chandra Datta:

4.

Issue of a gun license to Babu Sarat Chandra Chakravarti.

(*a*) Are the Government aware that Babu Sarat Chandra Chakravarti, Pleader of Faridpur, applied for a gun license for the entire district but that the District Magistrate has granted him a license for a limited area?

(*b*) Are the Government aware that the license granted to him is not sufficient for his purpose?

(*c*) Is it a fact that he was given no reasons why his prayer for a license covering the entire district was not granted?

(*d*) Are the Government considering the desirability of re-examining his application for a license for the entire district?

Answer by the Hon'ble Mr. Payne:—

"(*a*) Yes.

(*b*) No.

(*c*) No.

(*d*) Government do not consider it desirable to direct a re-examination of his rejected application for a license for the entire district."

By the Hon'ble Babu Akhil Chandra Datta:—

5.

Accommodation of the Faizennessa Girls' School at Comilla.

(*a*) Will the Government be pleased to state when the scheme for increasing the accommodation of the Faizennessa Girls' School at Comilla received the administrative sanction of the Government?

(*b*) What action, if any, has so far been taken for carrying out the scheme? When was such action taken?

(*c*) Are the Government considering the desirability of proceeding with

Answer by the Hon'ble Mr. Goode:—

"(*a*) The scheme was administratively approved in Government order No 773, dated the 14th April, 1917, at an estimated cost of Rs 96,800 including Rs. 7,288 for land acquired in 1913.

(*b*) Owing to the financial stringency the scheme was held in abeyance. Additional land was acquired in 1918 at a cost of Rs 3,584 9 6 No further progress has been made this year as funds are not available.

(*c*) The scheme is marked as of second urgency in our list of major works administratively approved up to 31st December, 1918 The question of financing the scheme will be considered next year"

By the Hon'ble Babu Akhil Chandra Datta:—

6.

(*a*) Will the Government be pleased to lay on the table the scheme which has been elaborated for establishing a Lower Primary School of an improved type in each Panchayati Union? Establishment of a Lower Primary School in each Panchayati Union.

(*b*) How many schools of this type have, up to date, been started, and where?

(*c*) In what respects are these schools an improvement over the ordinary schools?

(*d*) Is it in the contemplation of the Government to establish more schools of this type? If so, how many and where?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Panchayati Union scheme in its present form, aims at providing a lower primary school in each Union which has not an upper primary school. Each school costs the Department Rs 1,000 for buildings and equipment The sites of the schools are generally secured as free gifts •The maintenance charges of each Board lower primary school for boys are Rs 10 a month as detailed in the margin, and of each girls' school Rs 16 (which includes pay of maid servants and contingencies) Government also bears a portion of the cost of repairs to the schools The funds required for both capital and recurring expenditure are placed by Government at the disposal of the District Boards and the schools are under the direct management of these Boards. The teachers of these schools are allowed to take the fee-receipts.

Boys school.	
	Rs.
Head Pandit	.. 7
Monitor	... 3

(*b*) Up to the present 2,712 Board lower primary schools for boys and girls have been opened in the various districts. A statement is laid upon the table showing the distribution of schools for boys and girls separately district by district.

(*c*) The Board lower primary schools are superior to ordinary primary schools, in that they are distributed on a definite geographical basis, and are not opened haphazard like privately managed schools. The Board schools are better housed, better equipped, and better staffed, the teachers being selected from Guru Training passed men. The quality of discipline and organisation which prevails in these schools is also superior.

(*d*) The Education Department intends to complete the Board school scheme by opening about 2,300 more schools in Unions which have no school of the type at present, and for this purpose Rs. 1,50,000, is being devoted annually, since last year, from the 5½ lakhs grant."

Statement referred to in the answer by the HON'BLE MR. GOODE *to question No. 6 (unstarred) asked by the* HON'BLE BABU AKHIL CHANDRA DATTA *at the Council meeting of the 19th November, 1919, showing the number of Board Lower Primary Schools.*

Name of District	Number of existing Board L P Schools for Boys.	Number of existing Board L P Schools for Girls.	Total number of Schools.
1. 24-Parganas	16	Nil	16
2. Nadia	18	,,	18
3. Murshidabad	8	,,	8
4. Jessore	15	,,	15
5. Khulna	7	,,	7
	64		64
6. Burdwan	6	,,	6
7. Birbhum	6	,,	6
8. Bankura	8	,,	8
9. Midnapore	15	,,	15
10. Hooghly	5	,,	5
11. Howrah	9	,,	9
	49		49
12. Dacca	141	8	149
13. Mymensingh	495	1	496
14. Faridpur	193	1	194
15. Bakarganj	241	1	242
	1,070	11	1,081
16. Chittagong	150	Nil	150
17. Noakhali	141	6	147
18. Tippera	190	7	197
	481	13	494
19. Rajshahi	208	Nil	208
20. Dinajpur	137	,,	137
21. Jalpaiguri	204	1	205
22. Rangpur	233	1	234
23. Bogra	103	Nil	103
24. Pabna	82	,,	82
25. Malda	55	,,	55
	1,022	2	1,024
Grand Total ...	2,686	26	2,712

By the Hon'ble Babu Akhil Chandra Datta:—

7.

The hospital at Comilla.

(*a*) Are the Government aware that the hospital at Comilla is an ill-equipped institution and, in fact, one of the worst mufassal hospitals in the province?

(*b*) Are the Government aware that Comilla was formerly considered almost as a sanitarium, but that it no longer enjoys that reputation?

(*c*) Are the Government considering the advisability of improving the condition of the Comilla Hospital, and of making a suitable provision in next year's budget for the purpose?

Answer by the Hon'ble Mr. Payne:—

"(*a*) Government are aware that the Comilla hospital requires improvement.

(*b*) The mortality statistics do not bear out the suggestion that Comilla is becoming increasingly unhealthy.

(*c*) The hospital is the property of, and is managed by, the Comilla municipality who are said to be handicapped by want of funds. It is primarily the duty of the Municipal Commissioners to move in the matter of effecting an improvement, though in similar cases elsewhere private generosity has not infrequently been forthcoming. If any well-devised scheme is submitted to Government, it will be duly considered."

By the Hon'ble Babu Akhil Chandra Datta:—

8.

(*a*) Is it a fact that a Mussalman very recently sold his son, aged about three years, for Rs. 3 in the bazar of Nagarpur in the district of Mymensingh? Looting of rice, etc

(*b*) Is it a fact that he did so because he was unable to maintain himself and his son?

(*c*) Is it a fact that—

(*i*) on the 29th August last, a rice boat was looted by about 20 or 25 men in the river Bichanda, near Jhalakati, in the district of Bakarganj;

(*ii*) some of the looters were arrested, and

(*iii*) they pleaded that they were driven to this crime by starvation?

(*d*) Has there been any trial of the people arrested? If so, with what result?

(*e*) Is it also a fact that—

(*i*) there was a loot of rice and cloth in the hát of village Begari, within the jurisdiction of police-station Dumjo, in the district of Dacca, and

(*ii*) on the assemblage of a hundred Hindu and Muhammadan looters, the shopkeepers advanced to offer resistance and the looters threw nitric acid upon the shopkeepers?

(*f*) Is it a fact that some people have been arrested by the police in connection with this occurrence?

(*g*) Have they been put on trial? If so, with what result?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The facts of the case are as follows:—

The boy in question is a sickly child, aged about 3 years. His mother is a professional beggar, homeless and deaf, and her present husband is also a professional beggar. One Saiyid Ali of the village of Shunshi took a fancy to the boy and adopted him as his son with the consent of the father and mother. Saiyid Ali gave a new piece of cloth to the mother and Rs. 3 to her husband; but they deny having sold the child.

(*b*) No.

(*c*) and (*d*) A rice boat was looted by about 16 persons in the river Bashanda (not Bichanda) near Jhalakati at 9 A.M. on the 29th of August

last. Three persons were arrested immediately after the occurrence. Two of them made confessions before the Sadar Subdivisional Officer stating that they were driven to theft by hunger. A charge sheet was submitted by the police against 16 persons of whom 10 were tried and the rest absconded. Of the 10 accused who were tried, six pleaded guilty before the trying Magistrate, five of whom stated that they had committed the crime on account of hunger. Eight of the men were convicted under sections 143 and 380, Indian Penal Code, on the 16th October last. Seven of the accused were sentenced to two months' rigorous imprisonment and one to 14 days' rigorous imprisonment on each of the counts, the sentences being directed to run concurrently. Two of the accused were acquitted as the case against them was not proved.

(*e*) to (*g*) There is no police-station by the name of Dumjo in the district of Dacca, and no such case of looting was reported from any village called Begari or any other village in the district."

By the Hon'ble Babu Akhil Chandra Datta:—

9.

Cultivation of cotton.

(*a*) What recommendations, if any, were made by the Provincial Agricultural Association as a result of their deliberations at their meeting held on the 4th July, 1918, for improving and expanding the cultivation of cotton in the province?

(*b*) Have those recommendations been given effect to?

(*c*) What action, if any, has since been taken by the Government in that behalf?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) to (*c*) The Hon'ble Member is referred to the reply given to question No. VIII (starred) at the meeting of the Council held on the 3rd July, 1919. Copies of the press *communiqué* of the 28th October, 1918 and Mr. N. N. Pillai's report referred to therein have been supplied to the Hon'ble Member.

The views already held by Government that the conditions in Bengal are not generally favourable to any marked extension of cotton cultivation are confirmed by the opinion expressed in the report of the Indian Cotton Committee, 1919, namely, that exotic varieties of cotton are unsuited to the climatic and other conditions of the province, and that there seems no prospect of any appreciable extension of the area under the indigenous varieties. The recommendations of that Committee are now under examination."

By the Hon'ble Babu Akhil Chandra Datta:—

10.

Development of the indigenous system of spinning and weaving.

(*a*) Will the Government be pleased to explain their policy with respect to the development of the indigenous system of spinning and weaving?

(*b*) What steps, if any, have the Government taken or are taking to revive the *charka* and introduce it on a large scale in the country?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The Hon'ble Member is referred to the statement made by the Hon'ble the Revenue Member in charge in connection with the resolution

regarding the organisation of the cloth weaving industry moved by the Hon'ble Mr. Provash Chunder Mitter at the meeting of the Council held on the 3rd July, 1918, and to the answer given to question No VI (starred) asked by the Hon'ble Rai Radha Charan Pal Bahadur at the meeting of the Council held on the 3rd July, 1919.

(*b*) The Hon'ble Member is referred to the annual report of the Weaving Expert, Bengal, for the year 1918-19, a copy of which is placed on the library table.

The hand-spinning of cotton being carried on as a household industry and not on commercial lines, there seems little prospect of a general revival and extension of the *charka*."

By the Hon'ble Babu Akhil Chandra Datta:—

11.

Will the Government be pleased to lay on the table a statement showing, district by district, and year by year, the amount of fees paid by the Government to Government pleaders and public prosecutors during the last five years and during the years 1901 to 1905? Amount of fees paid to Government pleaders and prosecutors

Answer by the Hon'ble Mr. Payne:—

"Government are not prepared to undertake the compilation of these statistics which would involve a great deal of extra work on the part of a large number of Collectorate and Magisterial clerks with no advantage when the figures are prepared. Fees vary in each year according to the amount of work to be done. For the gross figures for the whole province the Hon'ble Member is referred to the annual budgets of the years in question."

By the Hon'ble Babu Akhil Chandra Datta:—

12.

Will the Government be pleased to mention, district by district— Construction of buildings for the Police Department

(*i*) the places where buildings have been constructed in Bengal for the Police Department during the last 5 years,

(*ii*) the total cost of such building or buildings at each place; and

(*iii*) the purpose for which the buildings are intended?

Answer by the Hon'ble Mr. Payne:—

"The information is being collected and will be laid before the Council at a later date."

By the Hon'ble Babu Akhil Chandra Datta:—

13.

What steps, if any, have the Government taken since the meeting of the Provincial Agricultural Association on the 4th July, 1918— Cultivation of *rabi* food crops, etc.

(*i*) for increasing the cultivation of *rabi* food crops;

(*ii*) for improving the organization for the supply of manure, seed and implements;

(*iii*) for extending the supply of new varieties of sugarcane; and

(*iv*) for encouraging the manufacture of yarn?

Answer by the Hon'ble Mr. McAlpin:—

"(*i*) The Hon'ble Member is referred to the answer given to the starred question No. IX put by the Hon'ble Rai Radha Charan Pal Bahadur at the Council meeting of the 3rd July, 1919.

(*ii*) In accordance with the recommendation of the Association, orders have been issued for the grant of loans under the Agriculturists' Loans Act for the purchase of seeds and improved agricultural implements; similar orders had previously issued regarding the purchase of manure. Seed stores have also been established at district headquarters, both in Eastern Bengal and Western Bengal. The policy of Government as to the establishment of seed stores for areas smaller than a district is explained in paragraph 8 of Government Resolution No. 631 T.—R., dated the 7th June, 1919, which was published in the *Calcutta Gazette* of the 11th idem.

(*iii*) In conformity with the suggestion made by the Association a programme has been drawn up, for providing every district in Bengal with a farm; two or three such farms will be established every year until the whole province is covered. At the request of the Government the Agents, Eastern Bengal Railway and East Indian Railway Company, have been good enough to issue instructions for the carriage of sugar-cane cuttings over their respective railways at concession rates.

(*iv*) The Hon'ble Member is referred to the answer given to his unstarred question No. 10."

By the Hon'ble Babu Akhil Chandra Datta:—

14.

Number of female students in the Calcutta Medical College and other medical institutions in Bengal.

Will the Government be pleased to state the number of female students in the Calcutta Medical College and other medical institutions in Bengal?

Answer by the Hon'ble Mr. Payne:—

"The number of female students in the medical educational institutions in Bengal is as follows :—

Medical College, Calcutta	...	... 15
Carmichael Medical College, Belgachia		... Nil
Campbell Medical School	...	... 17
Dacca Medical School	...	... 9."

By the Hon'ble Babu Akhil Chandra Datta:—

15.

Medical education of women in Bengal.

(*a*) Will the Government be pleased to explain the policy which they have followed or are following with regard to the medical education of women in Bengal and to state the history of female medical education in Bengal?

(*b*) Will the Government be pleased to state, year by year, the amount of money expended by them on the medical education of women in Bengal during the last ten years?

(*c*) What is the number of registered female medical practitioners in Bengal, and what diplomas do they hold?

Answer by the Hon'ble Mr. Payne:—

"(*a*) It has been, and still is, the policy of Government to encourage the medical education of women in every possible way. Female students are admitted without fees at the Medical College, Calcutta, and at the medical schools in Bengal. They also receive scholarships either from Government or other funds. The assistance given by the Countess of Dufferin's Fund to the medical education of women in India is well known.

(*b*) No separate account is kept of the expenditure on the medical education of women.

(*c*) There are 48 registered female medical practitioners in Bengal. A list of them, stating the diplomas held by each, is laid on the table."

List referred to in the answer by the Hon'ble MR. PAYNE *to Question No. 15(c) (Unstarred).*

Names of Female Medical Practitioners with their respective qualifications.

	Names.	Qualifications.
1.	Alemas, Bonifac Felix ...	Dip.; (Madras Medical College).
2.	Amoral, Lucy	L. M. P. (Dacca).
3.	Barah, Lakshmiprobha ...	L. M. P. (Cuttack).
4.	Barber, Alice Mary ...	M. B. & B. S. (Melbourne).
5.	Bose, Bidhumukhi ...	L. M. S. & M. B. (Calcutta).
6.	Emily, Subarnabala ...	L. M. P. (Calcutta).
7.	Biswas, Kusumkumari ...	L. M. P. (Dacca).
8.	,, Srimati	L. M. P. (Cuttack).
9.	Chaudhuri, Prasannakumari ...	Dip.; (Lahore Medical College).
10.	Collins, Emily	Apothecary, Medical College, Madras.
11.	Cousins, Ethel Constance ...	M. B. B. S. (Lond.). M. D. (Lond.).
12.	Dass, Alice E.	L. M. P. (Calcutta).
13.	,, Charusila	Ditto.
14.	Dasi, Probhatnalini ...	Ditto.
15.	,, Susilasundari ...	L. M. P. (Dacca).
16.	Datta, Promoda	L. M. P. (Calcutta).
17.	Debi, Anandamayi ...	L. M. P. (Patna).
18.	,, Jadumani	L. M. P. (Calcutta).
19.	Ghosh, Jnanada Sundari ...	L. M. P. (Dacca).
20.	,, Saratkumari ...	L. M. P. (Calcutta).
21.	Guha, Priyabala	Ditto.
22.	Gupta, Basantakumari ...	L. M. P. (Cuttack).
23.	,, Lakshmimani ...	L. M. P. (Dacca).
24.	Hope, Laura Margaret ...	M. B. B. S. (Adelaide).
25.	Jewell, Louise	L. M. F. (Bengal).
26.	Khan, Promolini	L. M. P. (Calcutta).
27.	Lazarus, Hilda M. ...	M. B. B. S. (Madras), L. R. C. P. (Lond.), M. R. C. S. (Eng.), L. M. (Rohmda).
28.	Mallick, Bidyutlata ...	L. M. P. (Calcutta).
29.	Marchant, Gladys Helen ...	M. B. (Calcutta).
30.	Nag, Sasimukhi	L. M. P. (Calcutta).
31.	O'Brien, Nellie Bella ...	L. M. F. (Bengal).
32.	Rufus, Harriet	L. M. P. (Agra).
33.	Sen Haimabati	L. M P. (Calcutta).
34.	Sen Gupta, Kusumkumari ..	L. M. P. (Dacca).
35.	Shaw, Surabala	L. M. P. (Calcutta).
36.	Shepherd, Creina	M. B. (Calcutta).
37.	Siddons, Ethiline Brandon ...	Dip. ; (Medical College, Calcutta).
38.	Singh, Catherine Rukhmani ...	L. M. P. (Lahore).
39.	,, Mary	L. M. P. (Calcutta).
40.	Sinha, Charusila ...	Ditto
41.	Mazumder, Kusum Kumari ...	L. M. P. (Dacca).
42.	Ellis, Daisy M.	Dip.; (Calcutta Medical College).
43.	Sarkar, Rose	M. B. (Calcutta).
44.	Dass, Bibhabati	L. M. P. (Calcutta).
45.	Singh, Surabala	L. M. F. (Bengal).
46.	Hansdah, Elizabeth ...	L. M. P. (Cuttack).
47.	Fernandez, J.	L. M. P. (Dacca).
48.	Basu, Hridayangini Prasadbala	L. M. P. (Patna).

By the Hon'ble Babu Akhil Chandra Datta:—

16.

Grand Trunk Canal Project.

(*a*) Have the Government come to any decision about the Grand Trunk Canal Project?

(*b*) If so, will the Government be pleased to say what that decision is?

(*c*) Do the Government contemplate carrying out the project during the next financial year?

(*d*) Will the Government be pleased to give a short history of the project?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) The Hon'ble Member is referred to the answer to unstarred question No. 7 given at the meeting of this Council on the 19th December, 1918.

(*b*) and (*c*) The project as finally revised was forwarded for the acceptance of the Government of India in August last, and it was requested that the early sanction of the Secretary of State might be obtained to the execution of the project.

(*d*) The Hon'ble Member is referred to the historical summary which forms the introduction to Mr. Lees' report of 1913 on the Grand Trunk Canal Project, a copy of which has been placed on the library table. Mr. Lees' project was submitted to the Government of India for sanction in June 1914; but it was returned to the Government of Bengal for reconsideration in the light of the note dated the 31st July, 1914, recorded by the Inspector-General of Irrigation. The preparation of revised estimates and necessary plans was then entrusted to Mr. C. Addams-Williams, C.I.E., and the final scheme, as drawn up by Mr. Addams-Williams, has now been submitted to the Government of India for the sanction of the Secretary of State."

By the Hon'ble Babu Akhil Chandra Datta:—

17.

Advancement of technical education in Bengal.

(*a*) What are the different schemes now under the consideration of the Government for the purpose of advancing technical education in Bengal?

(*b*) Have any of them been fully developed?

Answer by the Hon'ble Mr. Goode:—

"(*a*) (1) The establishment of a technological institute in Calcutta.

(2) The training of Foreman Mechanics at Kanchrapara.

(3) The expansion of the Government Weaving Institute, Serampore.

(4) Improved accommodation for Sibpur College.

(5) The improvement of the Dacca School of Engineering.

(6) The improvement of the evening classes at the coal fields.

(*b*) Schemes Nos. 2 and 5 may be said to be fully developed, although funds have not yet been actually allotted for the execution of No. 2.

No. 4 is well advanced, while No. 3 is linked up with No. 1, which though fully developed has not yet been finally approved."

By the Hon'ble Babu Akhil Chandra Datta:—

18.

Industrial development of the country.

Will the Government be pleased to enumerate all the steps that have been actually taken in the matter of industrial development of the country since the publication of the report of the Industrial Commission?

Answer by the Hon'ble Mr. Payne:—

" The question is very general in form, but presumably it has reference to the steps taken by the Government of Bengal and not to the various industrial developments due to private enterprise.

The report of the Indian Industrial Commission was received towards the end of 1918, but it necessarily took some time to consider the proposals, and it was not until September last that the sanction of the Secretary of State was received to the organisation of a Department of Industries, which will now be undertaken.

The main questions to which the activities of the Government of Bengal have been directed in the matter of the development of industries since the publication of the report are as follows:—

(1) The continuation of the development of such industries as assisted in the supply of war materials.

(2) The encouragement and improvement of hand-loom weaving, for which an officer was placed on special duty and in which considerable progress has been made.

(3) The investigation of the possibilities of obtaining good tanning material from the Sunderban forests. This inquiry, which is being conducted by Mr. Pilgrim, the tannin expert, is now nearly completed and promises very satisfactory results.

(4) Investigations made at the Calcutta research tannery, especially as regards—

(*a*) the improvement of local tan-stuffs, and

(*b*) the manufacture of sole leather from buffalo hides

(5) The leasing of forests for industrial purposes, such as the extraction of wood pulp, etc.

(6) The reorganisation of the sericultural department with the object of improving the silk industry.

(7) The development of co-operative societies with industrial objects.

In addition to the above, technical advice has been given to the promoters of industrial concerns, and in some cases facilities have been afforded under the Land Acquisition Act for the acquisition of land for industrial companies whose operations were of public utility "

By the Hon'ble Babu Akhil Chandra Datta:—

19.

Will the Government be pleased to furnish the following particulars in connection with the scheme for a research tannery:— Progress of the scheme for a research tannery.

(*i*) Is the scheme being worked out?

(*ii*) What progress has it made?

(*iii*) What is the amount of the money actually expended up to now upon the scheme?

(*iv*) What tangible result has so far been achieved?

Answer by the Hon'ble Mr. Payne:—

"(*i*) and (*ii*) Land has been acquired and buildings consisting of (1) a laboratory for tanning chemical research, and (2) an experimental tannery for both large and small scale experiments, have been constructed. The services of an experienced Indian expert in tanning, trained in England and on the Continent, have been obtained as superintendent of the tannery An Indian who has specialised in the study of tannins in England for several years has been appointed as research chemist. Besides these, a tannery foreman and an assistant chemist have been appointed. Arrangements are being made for the training of apprentices.

(*iii*) The following expenditure has actually been incurred up to date:—

				Rs.
Land	...	...	...	23,483
Buildings	...	...	...	1,09,431*
Machinery and apparatus (ordered)			...	10,000†
Tools and Plant	...	..	...	1,163†
Running charges	...	...	...	598
Establishment	...	...	...	5,164
Contingencies	...	...	...	412
Hides	...	...	...	892
		Total	...	1,51,143

* Amount of allotment Actual expenditure not known
† Approximately

(*iv*) The following work has been undertaken by the tannery up to date:—

(*a*) The investigation of the tanning properties of *Goran* bark, one of the principal tan-stuffs used in Calcutta.

(*b*) Experiments (1) on the production of good sole-leather by the use of local tan-stuffs and (2) on the manufacture of glazed kid leather from goat-skins, have been undertaken.

(*c*) Technical advice has been given to a few local firms.

If any Hon'ble Member cares to visit the tannery and will communicate with the Director of Industries, the latter will be pleased to give facilities for seeing it."

By the Hon'ble Babu Akhil Chandra Datta:—

20.

ults achieved he ribution of roved eties of ly and jute

(*a*) Will the Government be pleased to state whether any tangible and appreciable result has been achieved by the distribution of improved varieties of paddy and jute seed?

(*b*) If so, in what district or districts and to what extent?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) and (*b*) The Hon'ble Member is referred to Government Resolution No. 7274, dated the 2nd September 1919, on the report on the operations of the Department of Agriculture, Bengal, for 1918-19, which was published in the *Calcutta Gazette* of the 3rd September, 1919."

By the Hon'ble Babu Akhil Chandra Datta:—

21.

(*a*) Will the Government be pleased to enumerate all the projects which have been recommended by the Sanitary Board for the sanitary improvement of the province? Sanitary improvement the province.

(*b*) Which of them, if any, have received the administrative approval of the Government?

(*c*) Which of them, if any, have been executed, and at what cost?

(*d*) Which of them do the Government contemplate carrying out during the current financial year, and at what approximate cost?

Answer by the Hon'ble Mr. Goode:—

"The information is being collected and a reply will be given at a later meeting of the Council."

By the Hon'ble Babu Akhil Chandra Datta:—

22.

(*a*) Will the Government be pleased to mention— Anti malarial works

(*i*) the anti-malarial works which have been taken up for execution since the commencement of the current financial year,

(*ii*) the districts and localities to which they relate,

(*iii*) the improvement which they are intended to effect,

(*iv*) the progress which each of them has made?

(*b*) Has any anti-malarial drainage project been completely carried out up to now?

(*c*) If so, in what district or districts and at what cost?

(*d*) What appreciable improvement have they effected in the sanitary condition of the localities concerned?

Answer by the Hon'ble Mr. Goode:—

"(*a*) (*i*) The following anti-malarial schemes have been taken up for execution during the current year—

(*1*) Baraghachi.

(*2*) Manikhali.

(*3*) Jabuna.

(*4*) Arul Beel.

(*5*) Nawai-Sunthi.

(*ii*) Nos. (*1*), (*2*) and (*5*) relate to the 24-Parganas district and Nos. (*3*) and (*4*) to the Jessore district

(*iii*) (*a*) *Baraghachi.*—This is a deep basin where rain water collects and where no cultivation is now possible. Here the water will be drained away and regulated according to the needs of the crop.

(*b*) *Manikhali.*—A new khal is to be constructed in place of the old khal. The idea is to bring a large area of land into cultivation and also to admit the silt-laden water of Hooghly into the khal and pass it through fields and low-lying ditches.

(*c*) *Jabuna.*—The idea is to resuscitate the dead river in certain portions. By tapping the water of certain beels, the beels will be brought under cultivation and the excess water will be drained away through the dead river. The river, which is at present the breeding place of millions of mosquitoes, will thus be improved and the number of mosquitoes diminished to a great extent.

(*d*) *Arul Beel.*—A large area of land will be brought under cultivation and the surplus water will be drained away *via* the Mukteswari and Harihar rivers. Here also the chief aim is regulation of water

(*e*) *Nawai-Sunthi.*—With this scheme is combined the Burthi Beel project The object is the same : the dying or dead rivers will be resuscitated and a large beel area will come under cultivation.

(*iv*) Construction works are being carried out for all the five schemes

(*b*) and (*c*) Yes Four anti-malarial flood flush schemes have so far been completely carried out, viz :—

(*1*) In the Meenglas tea estate in the district of Jalpaiguri, at a cost of Rs. 34,000.

(*2*) In the Singaran-Toposi collieries in the district of Burdwan, at a cost of Rs 13,200.

(*3*) Within the Jangipur municipality in the district of Murshidabad, at a cost of Rs 27,500.

(*4*) At Banka Valley in the district of Burdwan, at a cost of Rs 73,217.

(*d*) There is definite evidence of the relative reduction of anopheles mosquitoes both at Meenglas and at Singaran. As regards morbidity and mortality the figures of last year have, however, been vitiated by unprecedented sickness due to influenza.

As regards the Banka Valley Scheme the evidence of the Superintending Engineer is that the scheme has resulted in the saving of crops which would otherwise have been lost : and the scheme from this point of view must have had a direct effect on the health of the population in the sphere of its operations.

The residents at Jangipur agree that an appreciable improvement has been effected in that portion of the town where the scheme is complete."

By the Hon'ble Babu Akhil Chandra Datta:—

23.

e Boy Scout vement.

(*a*) Will the Government be pleased to describe the present position of the Boy Scout movement in Bengal?

(*b*) Is it in the contemplation of the Government to place it on a more satisfactory footing during the current or next financial year?

Answer by the Hon'ble Mr. Goode:—

" (*a*) and (*b*) The organization called the Boy Scouts of Bengal is at present independent of the Baden Powell Association which is under a Provincial Commissioner with an Advisory Council, the whole Baden Powell Association in India being under a Chief Commissioner and Council. Larger

provincial independence is desirable with the admission of the Boy Scouts of Bengal to the Baden Powell Association, and this is now under consideration Government also proposes to recommend that a whole-time officer with a real enthusiasm for the Boy Scouts ideal should be recruited to work under the Provincial Association in training Scout masters for the local troops which already exist and those which, it is believed, will before long be formed in Bengal."

By the Hon'ble Babu Akhil Chandra Datta:—

24.

(*a*) Have the Government considered the desirability of introducing compulsory drill in schools and colleges? Introduction compulsory d in schools ar colleges.

(*b*) Are the Government contemplating taking immediate action in this matter?

Answer by the Hon'ble Mr. Goode:—

"(*a*) and (*b*) Government are awaiting the report of the Committee appointed by the Calcutta University to discuss the question regarding the introduction of drill into schools and colleges. Under existing rules, however, drill is compulsory in all Government high schools."

By the Hon'ble Babu Akhil Chandra Datta:—

25.

(*a*) What steps, if any, have been taken for the establishment of a Technological Institution in Calcutta, about which an assurance was given some time ago? Establishment of a Technological Institution in Calcutta.

(*b*) Is it in the contemplation of the Government to make the institution an accomplished fact during the current financial year?

Answer by the Hon'ble Mr. Goode:—

"(*a*) A conference was held yesterday at Government House to consider Government's proposals for establishing a technical school in Calcutta which might ultimately expand into a technological institute The heads of the chief engineering firms and other leading citizens of Calcutta were present.

(*b*) Government have every intention of carrying the scheme through as speedily as possible, but this cannot be done within the current financial year."

By the Hon'ble Babu Akhil Chandra Datta:—

26.

(*a*) Are the Government considering the desirability of increasing the initial pay of assistant surgeons so as to bring it on a par with that of the members of the Provincial Executive Service? Initial pay of Assistant Surgeons.

(*b*) Will the Government be pleased to explain the reason for the great difference between the initial pay of the two services?

Answer by the Hon'ble Mr. Payne:—

"(*a*) No.

(*b*) The rates of pay of the Provincial Executive Service have been fixed with due regard to the status of the officers and the nature of the duties which they are required to perform. Government do not consider that any just comparison can be drawn between the case of civil assistant surgeons and the members of that service."

By the Hon'ble Babu Akhil Chandra Datta:—

27.

Expenditure on the exodus to Darjeeling.

(*a*) Will the Government be pleased to lay on the table a statement of the expenditure involved in the exodus to Darjeeling during the last five years?

(*b*) What reduction of expenditure, if any, was made after the meeting of the Bengal Legislative Council held at Dacca on August 1917?

Answer by the Hon'ble Mr. Payne:—

"(*a*) A statement of the annual expenditure on account of the move to Darjeeling for the years 1914-1918, is laid on the table. The figures for 1919 are not yet available.

(*b*) The expenditure, which in 1916 amounted to Rs. 1,02,767, was reduced in 1917 to Rs. 84,084 and in 1918 to Rs. 74,563."

Statement referred to in the answer by the Hon'ble MR. PAYNE *to question No. 27 (unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 19th November, 1919, showing the expenditure involved in the exodus to Darjeeling during the last five years.*

Year.	Cost. Rs.
1914	68,749
1915	91,843
1916	1,02,767
1917	84,084
1918	74,563

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

28.

Postings and promotions to grades I to V of the Subordinate Educational Service.

Will the Government be pleased to state in a tabulated form—

(*i*) the number of new postings and special promotions in grades I, II, III and IV in the Subordinate Educational Service;

(*ii*) the number of posts sanctioned for new postings and special promotions in grades I, II, III and IV;

(*iii*) the number of vacancies due to promotions, etc., in grades I, II, III and IV; and

(*iv*) the number of officers (who came from the lowest grade) promoted to grades I, II, III and IV;

for the last three years commencing on the 1st of April, 1916, and ending on the 1st of April, 1919?

Answer by the Hon'ble Mr. Goode:—

"A tabular statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. GOODE *to question No. 28 (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council Meeting of the 19th November 1919, showing the number of postings, promotions, etc., in classes I, II, III and IV during the last 3 years from 1st April 1916.*

S. E. S. grade.	Number of new postings.	Number of special promotions	Number of posts sanctioned for—		Number of vacancies due to promotions, etc.	Number of officers (who were initially appointed in class VIII) promoted to.
			New postings	Special promotions.		
1	2	3	4	5	6	7
I ...	1	Nil	1	Nil	13	Nil
II ...	1	Nil	3	Nil	28	3*
III ...	1	Nil	4	Nil	40	8†
IV ...	17	Nil	12	Nil	41	4

* Besides the 3 officers promoted to class II, there is another officer who has also been promoted to class II, with effect from 1st April 1918. This officer was originally appointed to class VIII with effect from 25th March 1902 as Head Pandit of the Hare School but was at once promoted to class IV with effect from 8th September 1907 when he was selected for the post of Lecturer of Sanskrit and Bengali in the Presidency College.

† Besides the 8 officers promoted to class III there is another officer who has also been promoted to class III with effect from 10th September 1918. This officer was originally appointed in class VIII with effect from 15th August 1906 and was at once promoted to class V with effect from 20th September 1907, when he was selected for the post of Assistant in the Physical Laboratory of the Presidency College.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

29.

Officers of the Subordinate Educational Service grades and outside grades.

(*a*) Will the Government be pleased to state what rules authorize the Director of Public Instruction to create posts carrying different values from Rs. 50 to Rs. 250 outside the Subordinate Educational Service cadre sanctioned by the Secretary of State for India?

(*b*) Will the Government be pleased to state from what funds the salary of the officers of the outside grade service are drawn?

(*c*) For what purposes was the outside grades list opened, and when?

(*d*) Is it a fact that a portion of the costs for maintaining the outside grade officers is met by the sum left undisbursed due to the non filling up of vacancies in the Subordinate Educational Service grades?

(*e*) Is it a fact that a considerable number of posts from Rs. 35 to Rs. 50 are being created every year against the vacancies in the higher grades of the Subordinate Educational Service?

(*f*) Are the Government aware that the officers in the outside grades list generally get higher initial pay than that received by equally qualified and equally placed officers in the Subordinate Educational Service grades? If so, what steps are being taken for safeguarding the interests and promotions of the latter?

(*g*) Will the Government be pleased to state whether it has been decided that the outside grade officers should come into the grades vacancies of the Subordinate Educational Service or in created posts? If so, what has been done to safeguard the interests of those already in the lowest grades and those who have been in service for a considerable number of years?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The Director of Public Instruction is not competent to create posts of this kind

(*b*) From the Provincial Revenues.

(*c*) The list of officers outside the graded services was prepared to enable this office to deal with questions relating to these officers in a convenient manner. The list was first published in August, 1902.

(*d*) No

(*e*) No

(*f*) The initial pay of an officer is regulated by his qualifications and no distinction is made between posts inside and outside the grades.

(*g*) In view of the reply to (*f*) it is perfectly just that officers appointed outside the grades should have the same prospects of promotion as those appointed inside the grades."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

30.

igs of ers and e grade s and l tions ıde cies.

(*a*) Is it a fact that the Government have decided that the posts of head clerks of the larger offices shall not carry a salary of less than Rs. 100 per month? If so, will the Government be pleased to state why the head clerks of training colleges and of the Dacca Engineering School have not been included in the list of such posts?

(*b*) Will the Government be pleased to state how many cases of special promotions have been sanctioned for officers in which there is actual teaching work involved and how many to the inspecting officers of the Subordinate Educational Service grades, in the last three years?

(*c*) Will the Government be pleased to state whether there is any rule which fixes a time-limit for promotion of an officer from one grade to another in the Subordinate Educational Service?

(*d*) Will the Government be pleased to state whether new posts have been sanctioned by the Government in the grades of the Subordinate Educational Service to provide for special promotions?

(*e*) Is it a fact that some of the grade vacancies are being absorbed by the recipients of special promotions?

(*f*) Is it a fact that a large number of vacancies in the Subordinate Educational Service grades, sanctioned by the Secretary of State, are being filled up with new postings, such as lecturers, demonstrators, and others?

(*g*) Is it a fact that a large number of vacancies in the grades of the Subordinate Educational Service, sanctioned by the Secretary of State, are being utilized by bringing in outside grade officers into the grades?

(*h*) Are the Government aware that a feeling of discontent and insecurity is prevalent amongst the officers of the Subordinate Educational Service due to the postings of outsiders and outside grade officers and to the scores of recipients of special promotions in the grade vacancies, thus blocking their future prospects and promotions?

(*i*) Will the Government be pleased to state under what rules the ctor of Public Instruction can put in outsiders in the vacancies of the les, thereby blocking the promotion of officers already in the grades?

wer by the Hon'ble Mr. Goode:—

" (*a*) The reply to the first part of the question is in the negative The id part does not arise.

(*b*) There has been no case of special promotion to an inspecting officer e Subordinate Educational Service during the last three years, as officers de the grades are placed in grade vacancies carrying the same pay as appointments outside the grade There was one case of special promo- to a teacher of the Dow Hill School, who was promoted from class VI ass V as a result of an existing vacancy.

(*c*) The reply is in the negative

(*d*) The reply is in the negative

(*e*) The Hon'ble Member is referred to the reply given to (*b*); that is the case that has occurred.

(*f*) Lecturers and demonstrators are generally recruited initially on 25 in class IV of the Subordinate Educational Service and foreman ictors in class II of the same service

(*g*) Latterly officers outside the grades with similar qualifications and nsibilities, who are generally on fixed pay, have been brought into the icies in the Subordinate Educational Service with a view to giving chances of promotion.

(*h*) It is not true that there have been scores of recipients of special otion in grade vacancies—last year the Director of Public Instruction ed to give equal chances of promotion to graded and ungraded officers, onsideration being given to qualifications and nature of work done An r on Rs. 50 outside the grades has thus been considered for promotion ost of Rs. 60 inside the grades. Similarly a graded officer on Rs 45 een given a chance of promotion to the resulting vacancy on Rs 50 le the graded service. It was thought that the system adopted would fect the prospects of promotion of graded officers seriously as the average f posts in the Subordinate Educational Service and Lower Subordinate ational Service combined is Rs. 58·3 as against Rs. 43·7 of ungraded

(*i*) Under the powers delegated to the Director of Public Instruction, competent to appoint, transfer, etc , all officers in the Subordinate ational Service and those outside the grades whose pay does not exceed 50 per month."

e Hon'ble Rai Debender Chunder Ghose Bahadur:—

(*a*) Will the Government be pleased to state whether the report of the al Service Committee appointed by the Government of India has now onsidered by the Bengal Government and is ready to be made public? Report of the Medical Services Committee.

(*b*) Will the Government be pleased to state whether the petitions of the Civil Assistant Surgeons submitted to the Hon'ble the Surgeon-General with the Government of Bengal have been considered by that authority and whether any recommendation or report made thereon has been submitted to Government?

(*c*) If so, will the Government be pleased to state when the matter of these petitions is likely to be disposed of by this Government?

(*d*) Will the Government be pleased to state the reason (if any) why the increment of the pay of the Civil Assistant Surgeons as recommended by the Public Service Commission has been held in abeyance up to date whilst the pay of the officers of the Indian Medical Service and also of the Military Assistant Surgeons and of the Sub-Assistant Surgeons has been increased?

Answer by the Hon'ble Mr. Payne:—

"(*a*) The report of the Medical Services Committee has been considered by this Government, but the question of its publication rests with the Government of India, by whom the Committee was appointed

(*b*) Petitions from Civil Assistant Surgeons in this Presidency asking for an improvement in their pay and prospects have been forwarded to Government by the Surgeon-General with his recommendations and are now under consideration.

(*c*) There is not likely to be much delay on the part of this Government in dealing with these petitions, but the questions involved are intimately connected with the proposals of the Medical Services Committee, which are now under the consideration of the Government of India, to whom the recommendations of this Government will have to be forwarded.

(*d*) The consideration of the pay and prospects of Civil Assistant Surgeons has been delayed on account of the recommendations of the Medical Services Committee. The pay of Civil Assistant Surgeons was increased in 1912, and a further increase of pay was given to civil assistant surgeons officiating as Civil Surgeons in 1915. To that extent the question of the further revision of the pay of this service was not as urgent as in some other instances to which priority may have been given"

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

32.

Certain statistics in regard to the Presidency, Dacca and Rajshahi Colleges.

Will the Government be pleased to lay on the table a statement showing the contingent grants, grants for laboratories, libraries, common room and games for the Presidency, Dacca and Rajshahi Colleges for the last 10 years?

Answer by the Hon'ble Mr. Goode:—

"The statement is laid on the table."

Statement referred to in the answer by the HON'BLE MR. GOODE *to question No. 32 (unstarred) asked by the* HON'BLE BABU KISHORI MOHAN CHAUDHURI *at the Council Meeting of the 19th November, 1919, showing the contingent grants, grants for laboratories, libraries, common room and games for the Presidency, Dacca and Rajshahi Colleges for the last ten years from 1909-10 to 1918-19.*

Years	Name of Colleges.	Grants for—					Remarks
		Contingencies.	Laboratory	Library.	Common room	Games.	
1	2	3	4	5	6	7	8
		Rs	Rs.	Rs.	Rs.	Rs.	
1909-10	Presidency College ...	10,932	29,954	9,513 (1)	500	1,222	
	Dacca ,, ...	3,600	1,750	4,500	250	100	(1) Includes special grant of Rs. 3,000 for Law Books and Rs. 500 for M. A books
	Rajshahi ,, ...	1,750	1,500	300	200	300	
1910-11	Presidency ,, ...	10,000	21,560	9,500	500	1,656	
	Dacca ,, ...	4,500	8,595	2,710	250	1,000	
	Rajshahi ,, ...	2,600	4,500	420	200	250	
1911-12	Presidency ,, ...	10,624	62,010 (a)	9,500	500	1,000	(a) Includes Rs. 40,000 for laboratory fittings.
	Dacca ,, ...	6,360	8,595	4,585 (2)	250	1,000	(2) Includes special grant of Rs. 2,385 for Law Books.
	Rajshahi ,, ...	2,975	4,500	1,500	85	250	
1912-13	Presidency ,, ...	10,792	19,560	9,456	500	1,000	
	Dacca ,, ...	4,950	9,500	4,500	250	1,000	
	Rajshahi ,, ...	1,200	4,500 (b)	2,218	150	250	
1913-14	Presidency ,, ...	13,837	45,254	9,456	500	1,000	(b) Includes Rs. 26,954 for laboratory fittings
	Dacca ,, ...	4,900	8,595	5,000	250	1,000	
	Rajshahi ,, ...	2,300	4,500	2,000	200	500	
1914-15	Presidency ,, ...	11,792	28,560 (c)	9,456	500	1,000	(c) Includes Rs. 6,725 for laboratory fittings
	Dacca ,, ...	5,956	8,595	5,000	250	1,000	
	Rajshahi ,, ...	4,400	6,700	1,700	200	500	
1915-16	Presidency ,, ...	11,192	20,860	9,456	500	1,000	
	Dacca ,, ...	5,956	8,595	5,000	250	1,000	
	Rajshahi ,, ...	2,900	6,700	1,700	200	500	
1916-17	Presidency ,, ...	11,372	20,860	9,456 (3)	500	1,000	
	Dacca ,, ...	5,935	8,000	5,300	250	1,000	(3) Includes special grant of Rs. 300.
	Rajshahi ,, ...	3,306	4,000	1,700	200	1,000	
1917-18	Presidency ,, ...	11,792 (x)	20,860	4,456	500	1,000	
	Dacca ,, ...	17,994	8,000	5,000	250	1,000	(x) Includes cost of electric current.
	Rajshahi ,, ...	2,697	4,000	1,700	200	800	
1918-19	Presidency ,, ...	12,954 (x)	20,360	4,456	500	1,000	
	Dacca ,, ...	18,185	6,500	5,000 (i)	250	1,000	
	Rajshahi ,, ...	4,311	9,200	2,100	200	800	(i) Includes special grant of Rs. 400 for the purchase of Arabic and Persian books.

By the Hon'ble Babu Surendra Nath Ray:—

33.

Provincialising the Public Health Service.

Will the Government be pleased to lay on the table the opinions received from public and local bodies with reference to Circular No. 175-179-T.-San., Municipal Department (Sanitation), regarding the question of provincialising the Public Health Service?

Answer by the Hon'ble Mr. Goode:—

"The question of provincializing the Public Health Service is still under the consideration of Government, and will be examined by the Committee recently appointed to inquire into the whole organization, which the Presidency possesses, for dealing with public health. In these circumstances, Government are not prepared at present to lay on the table the opinions received from local and other public bodies."

By the Hon'ble Babu Surendra Nath Ray:—

34.

Formation of a separate cadre for Sanitary Officers.

Will the Government be pleased to furnish a statement showing—

(*i*) the number of opinions received in connection with the proposal to form a separate cadre for Sanitary Officers, independent of the control of municipalities and local bodies; and

(*ii*) the names of those who have either approved or disapproved of the proposal.

Answer by the Hon'ble Mr. Goode:—

"(*i*) and (*ii*) Eighty-three replies have so far been received and are now under the consideration of Government. At the present stage, Government are not prepared to give the further information desired by the Hon'ble Member."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

35.

Admission of candidates into the different classes of the various Arts Colleges.

(*a*) Will the Government be pleased to state the number of candidates for admission into the different classes of the various Arts Colleges, who either succeeded or failed to gain admission at the commencement of the present session, together with the maximum number of students that is allowed under the terms of affiliation to be admitted into each class?

(*b*) Will the Government be pleased to make a similar statement in regard to—

(*i*) the Sibpur Engineering College, in the College and Apprentice Departments on the Civil and Mechanical sides, respectively;

(*ii*) the Campbell Medical School;

(*iii*) the Dacca Medical School; and

(*iv*) the Dacca School of Engineering?

Answer by the Hon'ble Mr. Goode:—

"(*a*) A statement giving such information as is available is laid on the table.

(*b*) Statements giving such information as is available are laid on the table."

tements referred to in the answer by the HON'BLE MR. GOODE *to Question No. 35 (unstarred) asked by the* HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 19th November, 1919.*

STATEMENT A.

NAME OF COLLEGE.	FIRST YEAR CLASS.				SECOND YEAR CLASS.					THIRD YEAR CLASS.				FOURTH YEAR CLASS.				
	Maximum capacity.	No. applied for admission.	No. admitted.	No. refused.	Maximum capacity.	No. promoted and detained	No. applied for admission	No. admitted	No. refused	Maximum capacity.	No. applied for admission	No. admitted	No. refused	Maximum capacity	No. promoted and detained	No. applied for admission	No. admitted.	No. refused
ne College ...	36	34	29	5*	36	29	1	1	.	18	23	20	3	18	13	2	2	...
agong ,, ...	160	347	150 and 10	197	160	121	45	20	25	70	139	72 and 1	67	70	60	20	13	16
, ,, ...	180	348	192	156	168	148 and 12	19	19		160	314	192	122	168	167 and 10	46	46	...
hy ,, ...	100	137	83	54	100	76	5	3	...	65	8	6†	20	45	23	17	15	2
nagar ,, ..	140	110	92	18	140	76	16	16		85	86	72	14	85	3‡	19	18	1
,, ...	130	444	144	300	165	128	27	24	3	165	197	176	321	200	166	43	36	7
ahi ,, ...	250	324	257	67	225	184	40	33	7	175	260	180	80	100	151	41	38	6
ri ,, ...	80	74	74	.	50	29	7	7		150	150	150	.	80	31	44	43	...
da Mohun ,, ...	230	484	218	..	200	183	61	30	.	80	137	105		120	81	45	36	.
Mohun ,, ...	250	376	211	1	300	223	63	45	3	102	225	132	...†	150	99	57	45	...†
pur Hindu Academy .	285	322	272	50	215	140	52	47	5	80	119	74	45	65	41	29	24	5
an College .	34	38	34	4	24	21	3	3	..	18	20	20		18	12			...
d ,, .	175	181	176	5	150	121	31	30	1	This is a second grade college.								
nath ,, .	262	352‡	262	90‡	226	175	60	51	9	160	210	160	50‡	160	143	25‡	17	8
,, . .	150	113	113	...	150	95	19	17	2	This is a second grade college								
,, ...	280	415	269	216	260	209	281	275	8	300	552	289	263	620	301	335	306	30
pur Missionary ,, .	.	.	97	.		80	.	18	..			55	.		40	.	13	...§
,, Cathedral Mission ege	65	.	73	..	65	35	15	15	3	67		62	..	65	31	..	34	...‡
College ...	300	700	326	374	300	254	80	58	22	130	191	131	60	95	75	38	28	10‡
(Gouripur) ,, ...	300	506	322	184	300	259	56	47	9	120	152	116	36	125	80	39	22	17
(Sarmah) ,, ...	80	74	74	.	80	58	14	14		This is a second grade college.								
an Mission ,, ..	130	145	130	15	150	112	48	38	10	70	70	70		80	47	22	21	1
,, ..	150	280	154	126	150	116	27	23	4	This is a second grade college								...‡
,,	750	..	714	240	900	586	.	284	200	300		258	200	150	104	.	48	50
an Raj ,, ...	150	73	73	...	150	75	11	11		This is a second grade college								
hed (Rangpur) ,, ...	300	236	236	...	300	148	44	38	...	150	161	150	..	150	55	41	36	...‡
l ,, ...	200	...	228	...	400	239	113	113	...	This is a second grade college.								
,, ...	450	554	404	150	450		182	162	20	510	545	465	80	525	.	204	104	30**
a Ch. (Hetampur) ,, ...	100	21	21	...	100	30	7	7	.	This is a second grade college.								
House for Girls ...	10	3	3	...	10	3	..	...		Ditto								
College ...	250	185	185	...	250	160	13	9	4	Ditto.								
,, ...	450	...	450	...	600	388	150	150	...	330	330	330	...	480	305	175	175	—‡
Suburban ,, ...	225	225	225	...	225	182	50	50	..	225	218	218	...	150	72	75	75	...
,, ...	120	.	112	25	80	49	...	18	...	This is a second grade college.								...‡
Kar ,, ...	300	...	300	...	450	285	...	149	...	321	..	321	...	450	315	...	183	...
arh ,, ...	346	461	346	115	450	294	113	93	20	180	230	180	50	295	100	122	105	19
	7,418	7,662	7,089	2,381	8,219	5,409	1,680	1,917	362	4,034	4,704	4,041	1,401	4,601	2,562	1,455	1,480	197

* For want of hostel accommodation.
† Cannot be ascertained.
‡ Approximate.
§ The college has decided to admit about 300 students. The maximum capacity of each class has not been stated.
** All these figures are approximate.

STATEMENT B.

Name of Institution.	Maximum capacity	No. applied for admission.	No. appeared at the admission examination.	No. qualified at the admission examination.	Letters of admission issued.	No. admitted.	REMARKS.
1	2	3	4	5	6	7	8
1st year Upper Subordinate Class.							
Dacca School of Engineering.	40	211	...	..	...	50	The maximum limit has been exceeded for this session under the special orders of Government.
1st year Sub-Overseer Class.							
Dacca School of Engineering	60	180	...	...	...	70	Ditto.

STATEMENT C.

Engineering Department (1st year Class).							
Sibpur Civil Engineering College.	24	88	65	60	28	23	Admissions of November 1919
Apprentice Department—A.—Upper Subordinate.							
Sibpur Civil Engineering College.	20	23	No admission test held	..	21	16	Ditto.
Apprentice Department—B.—Mechanical and Electrical Engineering and Mining.							
Sibpur Civil Engineering College.	65	132	No admission test held.	...	73	67	Admissions of February 1919.

STATEMENT D.

School.	Vacancies.	Candidate.	No. admitted.
Campbell Medical School	150	1,071	173
Dacca Medical School	171	659	163

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

36.

(*a*) Have the Government made any inquiries into the prospects of the fish-curing industry and fish-oil and fish-guano-manufacture in Bengal? Prospects of the fish-curing industry, etc.

(*b*) If so, will the Government be pleased to make a statement showing the results of any such inquiries that have been made in recent years?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) and (*b*) Yes. The Hon'ble Member is referred to paragraphs 17 and 18 of the Annual Report of the Department of Fisheries, Bengal and Bihar and Orissa for the year 1918-19, a copy of which is placed on the library table.

Investigations regarding fish-oil and fish-guano manufacture were made as early as 1909-10 in connection with the trawling of the Bay of Bengal by the steam trawler *Golden Crown*. The investigations have shown that marine fish is rich in fish-oil and fish manure. The development of industries in such bye-products awaits the development of the marine fisheries by commercial agencies. The information required will be found in paragraphs 109-114 of report on the progress of enquiry into the fisheries of Bengal submitted by Mr. Ahmad in the year 1910. Copies of these paragraphs are laid on the library table."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

37.

Will the Government be pleased to make a statement showing the achievements of the Department of Fisheries in respect of Department of Fisheries.

(*i*) the organisation of trade in fish;

(*ii*) the extension of financial facilities to fishermen;

(*iii*) the opening out of existing fisheries; and

(*iv*) the education and training of fishermen, since the department was removed from the Department of Agriculture and established as a separate body?

Answer by the Hon'ble Mr. McAlpin:—

"(*i*), (*ii*) and (*iii*) The Hon'ble Member is referred to paragraph 15 of the Annual Report of the Department of Fisheries for 1917, out of which his questions arise. He will find there that the organisation of trade in fish, the extension of financial facilities to fishermen, and the opening out of fisheries is not dependent on Government alone but on the willingness of the moneyed classes to promote the organisation, capital and the banking facilities necessary to develop the industry. He will also find that to enable the Department to deal adequately with such problems an increase in staff was necessary. Government have, therefore, appointed three District Fishery Officers as an experiment this year and it is proposed to augment the number next year; but it is necessary to proceed slowly and learn by experience The Hon'ble Member is also referred to the answer to his question No. 39.

(*iv*) The matter is under consideration. Special facilities are being given at one primary school for the education of the children of fishermen in the district of Dacca and a special primary school has also been established for the same purpose."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

38.

Monopoly of the Calcutta fish trade.

Is there any truth in the statement that the whole of the Calcutta fish trade is monopolised by three or four persons, and that the trade is so organised as to prevent the possibility of retail dealers gaining any success in the fish business in Calcutta?

Answer by the Hon'ble Mr. McAlpin:—

"The trade in Calcutta is in the hands of a limited number of pe and an outsider finds it difficult to start a business successfully."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

39.

Co-operative societies among fishermen.

(*a*) Will the Government be pleased to make a statement showing the co-operative societies that have been formed up to date amongst the fishermen in the several districts of the Presidency?

(*b*) How have they succeeded in excluding the middlemen?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) A statement is laid on the table.

(*b*) The societies enumerated above are practically credit societies Attempts made to induce the members to combine to sell their fish have no been successful. Some of the societies, however, have now taken a lease o their fisheries direct and have to this extent excluded middlemen."

Statement referred to in the answer by the HON'BLE MR. MCALPIN *to questio No. 39 (unstarred) asked by the* HON'BLE BABU BROJENDRA KISHOR RA CHAUDHURI *at the Council meeting of the 19th November, 1919, showing the Co-operative Societies formed amongst fishermen in Bengal.*

Name of district		Previous to 30th June, 1918	Since 30th June, 1918 to 10th November, 1919	Total
Murshidabad	...	2	2	4
Midnapore	...	1	...	1
Khulna	...	3	1	4
Nadia	..	1	...	1
Howrah	..	4	...	4
Faridpur	...	1	1	2
Dacca	...	1	...	1
Bakarganj	...	2	...	2
Tippera	...	1	...	1
Pabna	...	8	2	10
Malda	...	1*	...	...
		25	6	30

* Since cancelled.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

40.

(*a*) Have the Government inquired into the general complaint of fishermen against railway servants insisting on gratuities before booking and despatching consignments of fish?

Alleged demand of gratuities by railway servants from fishermen.

(*b*) If so, what steps, if any, have been taken by Government in the matter?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) and (*b*) The complaints were of a general nature and as no specific cases could be cited it was not possible to take any steps in the matter."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

41.

Will the Government be pleased to make a statement showing what practical steps have been taken to organize the weaving industry of the Presidency on co-operative lines?

Organisation of the weaving industry on co-operative lines.

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the note on the subject recorded by the Registrar of Co-operative Societies, Bengal, which was laid on the library table in reply to the starred question No. VI put by the Hon'ble Rai Radha Charan Pal Bahadur at the Council meeting of the 3rd July, 1919. A copy of the note is again laid on the library table."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

42.

(*a*) Are the Government in a position to state whether it is a fact that the results obtained by the Anti-malarial Societies at Panihati and Sukchar encourage the application of the principle of co operation to village sanitation in Bengal?

Application of the principle of co operation to village sanitation.

(*b*) If so, are the Government contemplating the formation of such societies in large numbers in other parts of the Presidency also?

Answer by the Hon'ble Mr. Goode:—

"(*a*) The reply is in the affirmative. The Hon'ble Member is referred to paragraph 63 of the Report on Sanitation in Bengal for 1918.

(*b*) The Hon'ble Member is referred to the reply given to the Hon'ble Rai Radha Charan Pal Bahadur's question No. 64 on the 3rd July, 1919. The formation of new co-operative societies of this kind must depend mainly on the initiative being taken by the villagers themselves."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

43.

Co-operative stores.

(*a*) How many co-operative stores are there in the Presidency?

(*b*) Is it a fact that the prevailing high prices have created a desire for such stores in several districts and subdivisional headquarters?

(*c*) If so, what steps are the Government taking to develop co-operative distribution in this connection?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) On the 8th November, 1919, there were 33 co-operative stores in the Presidency and 7 agricultural purchase and sale societies which also carry on the business of co-operative stores.

(*b*) It is a fact that a desire for such stores has grown up in several districts and subdivisional headquarters during the last 12 months. Presumably the prevailing high prices were the cause.

(*c*) The number of stores rose in the year ending 30th June, 1919, from 8 to 18. Since the 1st of July, 1919, the number has risen to the figures given in answer to the first part of the question. The increase is largely the result of propaganda by the officers of the Co-operative Department. The Registrar of Co-operative Societies and his officers have brought the advantages of co-operative distribution to the notice of the public in all parts of the Province. A bureau of information has been opened in the office of the Registrar of Co-operative Societies and twice a week bulletins are issued to societies giving the Calcutta rates for commodities which are likely to be required in the mufassal. Every facility is being given by the Co-operative Department for organization of co-operative stores in all parts of the Presidency; but at the same time applications are being strictly scrutinised with a view to reducing the possibility of failures."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

44.

Co-operative milk societies.

(*a*) Is it a fact that the co-operative milk societies in the Barasat Subdivision have, comparatively speaking, been a success?

(*b*) Are the Government considering the desirability of forming more societies of this kind and of taking such steps as may be necessary to ensure their success?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes.

(*b*) Yes."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

45.

Co-operative Societies in Bengal.

Will the Government be pleased to make a statement showing the number of co-operative societies of all kinds in Bengal?

Answer by the Hon'ble Mr. McAlpin:—

"The total number was 4,533 on the 9th November, 1919."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

46.

Will the Government be pleased to consider the advisability of asking the Government of India to extend the scope of the proposed inquiry into the prospects of cane sugar, so as to include the date sugar-industry, which is of particular interest to this Presidency? The inquiry into the prospects of cane sugar.

Answer by the Hon'ble Mr. McAlpin:—

"The matter has already engaged the attention of Government."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

47.

(*a*) Will the Government be pleased to state whether there was any defalcation in the Sarail Ward's Estates during the management of Mr. Haliday? Defalcation in the Sarail Ward's Estates.

(*b*) If so, what amount was defalcated and when did the defalcation come to light?

(*c*) In what circumstances was the money defalcated and what was the manager's responsibility?

(*d*) Was anybody punished for it?

(*e*) What was the manager's salary before the occurrence and what after it?

(*f*) When was his salary increased?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Yes; there was one case of embezzlement by a law muharrir of the estate.

(*b*) Rs. 2,177-13-0. The defalcation was brought to light during the latter part of 1915.

(*c*) The Estate pleader entrusted with the work of execution of decrees obtained by the estate allowed his muharrir to receive money from the judgment debtors. The muharrir instead of crediting the money realized misappropriated it. The Estate pleader, not the manager, was directly responsible

(*d*) The law muharrir was criminally prosecuted and convicted

The money defalcated was deposited in the Treasury by the Estate pleader.

(*e*) Rs. 700 per mensem both before and after the occurrence

(*f*) The manager's initial pay was Rs. 550; it was raised to Rs. 700 by the Eastern Bengal and Assam Government with effect from 1st December, 1909."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

48.

Will the Government be pleased to state whether it is a fact that after his assumption of charge of the Dacca Nawab's estate, Mr. Meyer discharged some old officers of the said estate of good standing? If so, for what reasons? Dismissal of officers employed in the Dacca Nawab's estate.

Answer by the Hon'ble Mr. McAlpin:—

"Since his assumption of charge of the Dacca Nawab's estate, Mr. Meyer has discharged 7 officers of the estate, three for embezzlement of estate money, two for intemperance and neglect of duty, and two for unsatisfactory work and conduct."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

49.

The Mathurapur Ward's Estate.

(*a*) Is it a fact that several charges of criminal offences were brought against many old employees of the Mathurapur Ward's Estate in Maldal within the last eighteen months or so?

(*b*) What were the charges and how many employees were accused, and how did the cases terminate?

(*c*) Did the Court of Wards sanction the costs of the defence, and what did they amount to?

(*d*) What disciplinary action, as referred to in the answer given to my unstarred question of 4th April, 1918, did the manager and Collector of the district take to control the employees of the said estate and to prevent their misconduct?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Four criminal cases against seventeen peons of the estate were instituted in March and April 1918. No criminal charges have been brought since then.

(*b*) (*i*) Sections 147 and 323 of the Indian Penal Code—10 accused, ended in conviction.

(*ii*) Sections 395, 325 and 323 of the Indian Penal Code—3 accused convicted by Sessions Judge, acquitted by High Court.

(*iii*) Sections 447 and 426 of the Indian Penal Code—2 accused, ended in conviction.

(*iv*) Section 147 of the Indian Penal Code—2 accused convicted by Deputy Magistrate, acquitted by Sessions Judge.

(*c*) At the time the Court of Wards was in charge only of 6 annas of the estate, and bore its proportionate share of the cost of defending the cases. The amount paid on this account cannot now be ascertained as the estate has been released.

(*d*) Employees accused of criminal offences were placed under suspension, and those convicted were dismissed. Since the institution of the cases referred to, there have been no complaints of misconduct, and no further disciplinary action has been necessary."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

50.

Closing of the charitable dispensary at Mathurapur.

(*a*) Is it a fact that there was a charitable dispensary with an assistant surgeon in charge of it, at Mathurapur, in Maldah?

(*b*) What led to the closing of this dispensary?

(*c*) Is it a fact that the services rendered by this dispensary in fighting malaria were greatly appreciated by the authorities?

(*d*) When and at whose instance was the Mathurapur dispensary closed?

Answer by the Hon'ble Mr. Payne:—

"(*a*) There was a charitable dispensary at Mathurapur in the district of Malda with a private medical practitioner, and not an assistant surgeon, in charge.

(*b*) and (*d*) This dispensary was a private one established and supported by Mr. Hennessy, the proprietor of the Mathurapur estate. It also received a grant from the District Board. In February, 1916, the doctor in charge obtained an appointment under the Assam Government and resigned his post, and Mr. Hennessy intimated that he did not propose to maintain the dispensary any longer. It was closed from the 1st March, 1916.

(*c*) The dispensary did useful work, but not more so than the other dispensaries in the district."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

51.

Loan to the Maharaja Bahadur Sir P. C. Tagore, Kt.

(*a*) Is it a fact that in the report and scheme prepared by the late Rai Jamini Mohan Das Bahadur, the loan given to the Maharaja Bahadur Sir P. C. Tagore, Kt., was proposed to be redeemed in about 9 years?

(*b*) On taking charge of the Tagore mortgaged estate, did Mr. Mackay submit to Government any scheme of management showing in how many years the redemption of the loan could be made possible?

(*c*) Were the cost of the maintenance of a steam-launch, the doubling of the pay of the naibs and the payment of Puja bonuses, green-boat and horse-allowances, over and above fixed monthly travelling allowances to the naibs, shown in Mr. Mackay's scheme?

(*d*) What steps have the Government taken to ensure economical management of the Maharaja Bahadur Tagore's estate?

(*e*) Are the affairs of the estates periodically inspected by any officer of the Government?

(*f*) Are the accounts audited by examiners of local accounts, and is a report submitted to the Government?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) No.

(*b*) No, but when the second loan of rupees ten lakhs was sanctioned an estimate of repayment was prepared and approved by Government.

(*c*) The Hon'ble Member is referred to the answer given to clauses (*d*) to (*i*) and (*k*) of a question relating to the affairs of the Tagore Raj mortgaged estate asked by him at the meeting of the Council held on the 3rd September, 1919.

(*d*) The appointment of a competent Manager.

(*e*) The properties are situated in several districts. No special officer is deputed to inspect them, but the District Officers are frequent visitors to the portions within their respective jurisdictions. The Commissioner of Dacca exercises general supervision and scrutinises expenditure.

(*f*) No, but the accounts are audited monthly by a qualified Auditor and an annual report is submitted to Government embodying the audited figures for the past year."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

52.

Examination of accounts of certain estates under the Court of Wards.

Will the Government be pleased to state whether the accounts o the Karatya, Sarail, Bhowal and Mathurapur estates under the Court o Wards are examined by the examiners of local accounts and whether th reports of the examiners are submitted to Government?

Answer by the Hon'ble Mr. McAlpin:—

"The accounts of the Karatya, Sarail and Bhowal estates are audite by the Examiner of Local Accounts, whose reports are submitted to th Board.

The Mathurapur estate is not now under the Court of Wards."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

53.

Provision of proper meteorological arrangements in Eastern Bengal.

(*a*) Is it a fact that the Eastern Bengal districts have frequently suffere from disastrous cyclones?

(*b*) Are the Government considering the advisability of providing prope meteorological arrangements at a suitable centre in Eastern Bengal?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The answer is in the negative.

(*b*) No. The Meteorological Department is under the Government o India."

By the Hon'ble Babu Bhabendra Chandra Ray:—

54.

Development of Kalimpong as a hill-station.

(*a*) What progress has been made in the schemes for the develop ment of Kalimpong as a hill-station?

(*b*) How many building sites are being offered on lease at Kalimpong and on what terms?

(*c*) How many applications have been received from the Indian and othe communities respectively for building houses on the terms offered by Gov ernment?

(*d*) Are the Government aware of the opinion that has been expresse that the terms and conditions of lease are not generally considered to be fair

(*e*) Are the Government considering the desirability of modifying th said terms and conditions?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) The resumption of 756 acres on the northern portion of th Rinkingpong ridge is practically complete and steps are being taken t resume 1,102 acres on the southern portion of the ridge.

The allocation of sites in the northern portion will be made shortly.

A detailed scheme of water-supply has been approved, and a sum o 2 lakhs has been provided for expenditure on this account during the presen financial year.

Arrangements are being made for the construction and improvement of roads, and for the preparation of a drainage scheme.

(*b*) On the northern portion of the ridge, 252 building sites are available. They will be leased for a term of 90 years, subject to certain broad conditions. The rates of premium will vary from Rs 500 to Rs. 1,500 per acre, and the rates of ground rent from Rs. 50 to Rs. 100 per acre per annum according to the position and suitability of the site. The rates of ground rent are subject to revision after each period of 30 years.

A pamphlet embodying the main features of the scheme and the terms of the lease has been available to the public for several months and a copy of it is laid on the library table.

(*c*) Three hundred and twelve applications have been received up to date for building sites, of which 228 are from Indians and 84 from other communities.

(*d*) Government are aware that letters have been published in the press criticising the terms and conditions of the lease.

(*e*) No."

By the Hon'ble Babu Bhabendra Chandra Ray:—

55.

(*a*) Has the attention of the Government been drawn to the grievances of the travelling public in regard to the Khulna-Bagerhat Railway, as published in the newspapers? The Khulna-Bagerhat Railway.

(*b*) Are the Government aware of the serious inconveniences suffered by the travelling public on the said railway, arising mainly from the following circumstances—

(*i*) the lower class carriages are unprotected and unsafe,

(*ii*) the roofs leak in the rains, and the canvas coverings are insufficient for protecting passengers from the heat and rain,

(*iii*) there are no waiting-rooms for upper class passengers and for *purdanashin* ladies at several stations,

(*iv*) there are no platforms;

(*v*) the number of carriages for females of the 3rd class is insufficient, and there is no special accommodation for upper class female passengers;

(*vi*) the charges for the ferry are too much, especially for the 3rd class; and

(*vii*) no water-closets are provided for passengers at the stations, nor for male passengers in the 3rd class carriages?

(*c*) What action, if any, are the Government taking for the removal of these grievances?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) Yes.

(*b*) The replies are as follows :—

(*i*) The type of carriage in use on the Khulna-Bagerhat Railway is similar to that adopted on several other light railways of narrow gauge, and experience has not shown that such carriages are insufficiently protected or unsafe.

(*ii*) Carriages designed for a light railway are necessarily of light construction and canvas coverings are generally considered sufficient. Some leakage may have occurred but the Railway authorities are giving this matter their attention.

(*iii*) The Khulna-Bagerhat Railway is a small light railway of a total length of 19½ miles. The number of upper class passengers for six months amounted to 1,492 in all. In the opinion of the Railway Administration traffic of such proportions does not appear to justify the provision of waiting-rooms at present. There are waiting-halls at Rupsa East, Bahirdia, Telidanga, Jatrapur and Bagerhat.

(*iv*) Platforms at rail level have been constructed at all stations. In view of the lowness of the carriages, the Railway Administration does not consider that raised platforms are necessary.

(*v*) Reply is embodied in the reply to question (*c*)

(*vi*) The charges for the ferry service are levied by the Steamer Companies and are not considered excessive. They are—

	Rs.	A.	P.	
Passengers	0	2	6	each.
Luggage and Parcels	0	4	0	per maund.
Goods	0	0	8	per maund

(*vii*) A latrine has been provided at Rupsa East Station and another is being constructed at Bagerhat Station. Should traffic increases warrant, and funds permit, the Railway Administration is prepared to provide others.

(*c*) In view of the fact that the Khulna-Bagerhat Railway is a light railway of only 19½ miles in length and that the journey from Khulna to Bagerhat takes only 2 hours, and further that it is a new line recently opened, it does not appear to be quite reasonable to expect that facilities such as exist on large railways can be immediately provided. As the line becomes better established and revenue increases, the Railway authorities will doubtless gradually improve the present condition of the line."

By the Hon'ble Babu Bhabendra Chandra Ray:—

56.

The cyclone in East Bengal.

(*a*) Is it a fact that the daily weather report and the chart issued by the Director-General of Observatories at Simla differed materially, as regards the state of the weather on the 24th September, 1919, at Saugor Island and other places in the Presidency of Bengal, from those of the Calcutta Meteorologist?

(*b*) Will the Government be pleased to lay on the table the Indian Daily Reports, dated the 22nd, 23rd, 24th and 25th September 1919?

(*c*) Is it a fact that the daily weather report and chart of the 24th September, 1919, issued by the Director-General of Observatories at Simla, indicated the approach of a storm to places in the Presidency of Bengal, while those of the Calcutta Meteorologist did not do so?

(*d*) At what hour were observations taken by the Calcutta Meteorologist and when was the danger signal hoisted at Calcutta and the Hooghly ports.

and when were those signals communicated to the inland river stations in Bengal on the 24th September?

(*e*) Is it a fact that at 2 P.M., on the 24th September, 1919, an observation was taken by the Calcutta Meteorological Officer relating to the state of the weather?

(*f*) If so, will the Government be pleased to lay on the table the report that was received from the Meteorological Officer at Alipur?

(*g*) Will the Government be pleased to state at what hours the "danger warning" about the storm of the 24th September was received by each of the inland river stations?

(*h*) Is it a fact that the "danger warning" was not received by some of the inland river stations?

(*i*) Are there any fixed hours of attendance for the Meteorologist at the Meteorological office at Alipur?

(*j*) If so, will the Government be pleased to state the hours of such attendance?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) and (*c*) The Indian Daily Weather Report indicated the approach of a storm; the Calcutta Daily Weather Report indicated the approach of a depression. There was no material difference.

(*b*) The Indian Daily Weather Reports in question are laid on the library table.

(*d*) (*1*) The Calcutta Meteorologist does not take observations; but on the 24th September special observations were called for by him every six hours beginning at 14 hours from—

Chittagong.
Noakhali.
Barisal
Saugor Island.
Sandheads.
Calcutta.
Balasore.
Cuttack.
Hukitala.
Puri.
Gopalpur.

Danger signals were hoisted on the 24th September at—

Calcutta, at 18 hours 40 minutes.
Budge Budge, at 19 hours 15 minutes.
Diamond Harbour at 18 hours 53 minutes.

(3) Danger signals were communicated to the inland river stations in Bengal on 24th September as under :—

Station.	*Time.*
Barisal	17 hours 44 min.
Goalundo	17 hours 39 min.
Narayanganj	17 hours 89 min.
Noakhali	17 hours 46 min.
Chandpur	17 hours 39 min.
Khulna	17 hours 39 min.
Nikli	17 hours 52 min.
Bhairab	17 hours 52 min.
Lohajang	17 hours 52 min.
Gournadi	17 hours 52 min.
Aralia	17 hours 52 min.
Mirzaganj	17 hours 57 min.
Madaripur	17 hours 57 min.
Gopalganj	17 hours 57 min.
Godagari	17 hours 57 min.
Rampur Boalia	17 hours 57 min.
Sara	17 hours 57 min.
Serajganj	17 hours 57 min.
Kakchira	17 hours 57 min.
Tushkhali	17 hours 57 min.

(*e*) and (*f*) No such observation was taken by the Calcutta Meteorologist. The special observations called for by him and beginning at 14 hours were, however, received on the 24th September as stated below.

Station.	*Time.*
Chittagong	14 hours 54 min.
Noakhali	14 hours 39 min.
Barisal	14 hours 35 min.
Sandheads	19 hours 8 min.
Calcutta	14 hours.
Balasore	14 hours 56 min
Cuttack	14 hours 36 min.
Hukitala	14 hours 27 min.
Puri	14 hours 38 min.
Gopalpur	14 hours 57 min.
Saugor Island	Not recevied.

It is not the practice to issue weather reports on such special observations. The order to hoist "Danger Signals" indicated in answer (*d*) (*2*) and (*3*) above was the action taken on these special observations.

Sir Henry Wheeler.

(*g*) and (*h*) The "Danger Signal" was received by the inland ports at the times given below :—

Port.	*Time.*	
Barisal ...	20 hours 5 min.	of 24th September.
Goalundo ...	19 hours 30 min.	of 24th September.
Narayanganj ...	19 hours 36 min.	of 24th September.
Noakhali ...	18 hours 11 min.	of 24th September.
Chandpur ...	19 hours 15 min.	of 24th September.
Nikli ...	19 hours 8 min.	of 24th September.
Bhairab ...	20 hours	of 24th September.
Madaripur ...	22 hours	of 24th September.
Godagari ...	20 hours 45 min.	of 24th September.
Sara ...	21 hours	of 24th September.
Serajganj ...	20 hours 15 min.	of 24th September.
Khulna ...	13 hours 45 min.	of 25th September.
Lohajang ...		of 27th September.
Gopalganj ...		of 27th September.
Aralia ...	7 hours	of 25th September
Mirjaganj ...	18 hours	of 25th September.
Tushkhali ...		of 27th September.
Katchira ...		of 27th September.

The delay in the delivery at certain stations was due to the interruption of telegraphic communication caused by the cyclone

(*i*) and (*j*) There are no fixed hours. The practice has been for the Calcutta Meteorologist to be present to write the Calcutta Daily Weather Report, issue daily signals and wireless messages as soon as the daily 8 A.M. observations have been received and reduced. When he calls for special observations and these have all been received and reduced, he attends and issues whatever warning telegrams such observations indicate as necessary."

LEGISLATIVE BUSINESS.

LIST OF BUSINESS—ITEM No. 3.

THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.

The Hon'ble Sir Henry Wheeler moved that the Calcutta Cruelty to Animals Bill, 1919, be referred to a Select Committee consisting of the Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. G. N. Roy, the Hon'ble Mr. Payne, the Hon'ble Rai Radha Charan Pal Bahadur, the Hon'ble Mr. Phelps, the Hon'ble Maulvi A. K. Fazl-ul-Haq, the Hon'ble Babu Surendra Nath Ray and the mover, with instructions to submit their report in time for its presentation in Council at the meeting in December next.

He said :—

"My Lord, I had the honour to introduce this Bill at the meeting of the 12th August last, and I then explained the general nature of its provisions. Since then the Bill has been circulated for opinion, and a certain number of replies have been received which, I believe, are in the hands of Hon'ble Members. Two or three, I am told, are still outstanding. A perusal of the replies indicates, as may have been reasonably anticipated, that no exception is taken to the general principles and objects of the Bill. Comments are made on points of detail and suggestions are offered for improvement, but these are matters which can be gone into by the Select Committee, and as on the question of principle, which is at the moment our main concern there is general agreement, I do not propose to take up the time of the Council further by a discussion in detail of particular provisions of the Bill."

The motion was put and agreed to.

THE EASTERN FRONTIER RIFLES (BENGAL BATTALION BILL, 1919.

LIST OF BUSINESS—ITEM No. 4.

The Hon'ble Sir Henry Wheeler moved for leave to introduce a Bill t amend the law relating to the Regulation of the Eastern Frontier Rifle (Bengal Battalion).

He said :—

"My Lord, this Bill has reference to the force which is generally know as the Dacca military police. In addition to the ordinary civil police as foun at *thanas*, and in addition to the armed branches of that civil police whic are concentrated in small numbers at the headquarters of districts, exper ence of many years has shown the necessity in Bengal of keeping in readines for use in times of emergency, a small well disciplined mobilised forc which can be subjected to a higher degree of discipline, and therefore attai a higher degree of efficiency, than the ordinary civil police. That forc is known as the military police, and in nature it partakes more of a militar than a civil character. In Bengal it has been in existence, in one form c another, for many years. To go no further back than the last redistribu tion of the province in 1912, it was then constituted on a basis of si companies. In 1918, owing to its being found that the strength wa insufficient to meet the duties devolving upon it, a seventh Company wa added, and the force now comprises about 750 officers and men. It distributed thus : 5 companies at Dacca, one at Hooghly and one at Buxa and it is comprised of Gurkhas, who are in the minority, and c Jharuas.

As I have said, the employment of military police in Bengal and i the adjacent province of Assam is no new thing. It was formerly—*i.e.*, befo the days of the first partition—regulated by what was known as the Beng Military Police Act (V of 1892) and the Assam Military Police Regulatio of 1890. After the first partition and the creation of the Government c Eastern Bengal and Assam, the headquarters of what may be said to hav represented the old Bengal force was placed at Dacca, with detachments a Barisal, Silchar and the Garo Hills. In addition there were other mor distinctively Assamese battalions employed in the upper districts of Assan We kept the residue of the companies, the most important being, think, at Bhagalpur and Ranchi. It was not long before the Eastern Beng and Assam Government felt the obvious inconvenience of having two bodie of military police within their boundaries governed by two different Act namely, the Assam police governed by the old regulation of 1890, and th new force at Dacca governed by the old Bengal Act of 1892. The men wer liable to be employed together and also, I believe, were liable to be transferre from one battalion to another. In consequence of that fact the Eastern Benga and Assam Government passed what was known as the Eastern Bengal an Assam Military Police Act of 1912, which was applicable to all th military police within their borders, thus restoring uniformity of treatment and after the second partition that Act was brought into force in the presen province of Bengal with effect from the 1st October, 1912, by notificatio under the Bengal, Bihar and Orissa and Assam Laws Act, 1912. So at th present moment we are governed in Bengal by the Eastern Bengal an Assam Military Police Act, as in the adjacent province, which is now Assan only. That is the existing position.

In 1917 the Assam Government moved the Government of India t be allowed to adopt a more distinctly military nomenclature in designating

Sir Henry Wheeler.

their force, which they wished to call the Assam Rifles. The reasons for that request were, briefly, that they wished to enhance the status of the force when it was on military duty. They had found that when these men were employed along with regular troops on the Frontier—and, incidentally, had done well and been commended by inspecting officers—there was a tendency on the part of regular soldiers to look down upon them as being merely policemen, and not *pucca* soldiers, and that re-acted prejudicially on the force. By removing that defect, they thought also that it would be easier to get military officers to join the force, and it is on the presence of military officers that discipline very largely depends, while it was found that the feeling of all ranks was very keen that they should be regarded in the eyes of the public as what they were, *i.e.*, more soldiers than civil police. The Government of India accepted the argument, but drew attention to the state of the law which would require amendment in order to enable a new name to be given to the force. They pointed out that if the local administration was going to amend the Act, it had better at the same time get rid of the anomaly by which the Assam force was governed by the same Act as the separate Bengal force, letting each province stand on its own and have the kind of Act best suited to it. They therefore referred the matter to us, and we made enquiries as to how matters stood here. We found that, just as in Assam, the officers and men in our force strongly resented being called 'police' when in many respects they were treated as soldiers, and especially they resented it if the status of the Assam force was going to be raised in this respect and they were going to be left as they were. We recruit from very much the same sources as at least some of the Assam battalions, and if we do not put our battalion on the level of Assam, we should obviously have difficulty in finding men, and should get the worst recruits. Therefore the same arguments were found to be valid in the case of Bengal, especially as our Dacca battalion had been employed on the Frontier both in the old days along with the Assam battalions, and in recent times in the Abor expedition of 1911-12 and in the Chinlong expedition of 1913. This same question of status was further emphasised by the experience of the recent great war, when one officer and 101 men went from our force to the Indian Expeditionary Force and did very well. One man got an Order of Merit, and a havildar was promoted to a subadarship, while seven men got promotion as non-commissioned officers and those who saw the men uniformly spoke well of them.

In view of these facts it seems to the Local Government to be reasonable that we should fall into line with the administration of Assam, and call our men by a more distinctly military name. We had some discussion as to what that name should be, and eventually, on the suggestion of the Government of India, we propose to adopt the terminology of the Eastern Frontier Rifles, Bengal Battalion. On the basis of that terminology the Act has been redrafted, although there has been no practical change in substance. The amendments, which will be found underlined, are mainly verbal, largely concerned with the substitution of the word 'rifleman' for 'military police.' To all intents and purposes the Act is in substance what it was before; only amendments of a verbal character are proposed in order to give effect to the intention, which I have explained, of giving the battalion the more distinctly military status which it really enjoys. The Act itself, as will be seen from a brief glance at it, refers specifically to the discipline and maintenance of the force. There are special terms of enlistment, and men wishing to join come under a discipline which is more distinctly appropriate to soldiers. The Act therefore is one which little concerns the interests of the public; its amendment is designed to meet a need peculiar to the force as such."

The motion was put and agreed to.

RESOLUTIONS

(under the rules for the discussion of matters of general public interest).

LIST OF BUSINESS—ITEMS Nos. 5, 6 and 7.

The President said:—

"I have agreed to the postponing to the next meeting of resolution Nos. 5, 6 and 7 on the Agenda paper standing in the name of the Hon'ble Babu Akhil Chandra Datta on the ground that the Hon'ble Member is unable to be present to-day on account of illness."

The resolutions were as follows :—

5. The Hon'ble Babu Akhil Chandra Datta to move the following resolution :—

This Council recommends to the Governor in Council that arrangement be made with a view to the payment of the monthly pensions of Government pensioners in the Presidency of Bengal by postal money-order, if they so desire, and that, if necessary, the sanction of the Government of India be obtained in that behalf.

6. Also to move the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the Assistant Surgeons in the Presidency.

7. Also to move the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the compounders attached to Government hospitals and dispensaries in the Presidency.

LIST OF BUSINESS—ITEM No. 8.

8. The **Hon'ble Babu Surendra Nath Ray** moved the following resolution :—

This Council recommends to the Governor in Council that the Government do approach the Government of India for a grant of rupees fifty lakhs or such sum as they may think necessary from the Imperial Government to alleviate the distress caused by the recent cyclone in Eastern Bengal.

He said :—

"My Lord, for two years the country had been put to great inconvenience and the people subjected to great hardship on account of the high price of cloth, for nearly a year the country had been almost on the verge of famine on account of the abnormally high price of rice and other food-stuffs and the people could with difficulty eke out an existence, when the terrific cyclone of the 24th September last swept over the province and laid desolate a number of adjacent districts of Eastern Bengal, including portions of Khulna and Jessore.

That your Excellency's Government have now been doing all that they possibly can to alleviate the sufferings of those who have suffered from the cyclone is well-known. There was no doubt some delay on the part of the Central Government to move in the matter and to take necessary steps, but the

men on the spot, some of the District Magistrates, Sub-divisional Officers and some of the circle officers had already been to the places affected by the cyclone and were doing their level best with the limited means at their disposal in organising relief work. The non-official gentlemen who had gone to some of these places for rendering help saw that relief work had already been commenced by Government officers. But if your Lordship's Government have now been doing all that they possibly can to alleviate the sufferings of those who have suffered from the cyclone, the leaders of the people have also come forward in this great work. In fact they were the first in the field in organising regular relief measures in some of the more affected areas. The Bengal Relief Fund Committee, the Ram Krishna Mission, the Sadharan Brahmo Samaj and the Seva Samiti people, and last but not least the Servants of India Society have been working hard and zealously to alleviate the sufferings of the people in distress by contributing money, food-stuffs and cloth. I need not impress on your Lordship's Government that the country and its people have been sadly injured by the recent visitation, and it will take some time before the devastated portion of the country can recover. I shall quote from a few extracts from some of the reports of gentlemen deputed by the Bengal Relief Fund Committee to organise relief work in the affected districts to show the nature of the distress and the relief required. I need hardly say that they are men of the highest character and their reports can be taken without any reservation.

This is what the Dacca Secretary of the Bengal Relief Fund Committee reports :—

"The most pressing need of the people at present is rice and cloth. I personally know instances when the people are taking food after two days. Many are half-fed. Only 10 per cent. of the people, mostly of the trading classes, are full-fed. Many people are half-fed and in rags. I personally know of many instances where women would not come out of their huts to receive relief for want of cloth. In short the problem of Eastern Bengal to-day is one of rice and cloth."

I quote from another report, that of Mr. H. D. Bose :—

"At Barisal, opposite the District Board Office, at about 8 o'clock in the morning, I found that there were nearly 500 to 700 people assembled to get their quota of rice ; there was a general scramble, pushing and elbowing from all sides and directions, as if they were taking part in a Rugby football game, their clothes torn, bodies lacerated, and not a few knocked out of breath. Even after all this a host had to return unsatisfied and unattended as there was not sufficient quantity of rice in stock, and this in spite of the sympathy, generosity and humane efforts to supply their wants by men like the officiating District Magistrate and others".

I quote the following from another report, which relates to an earlier period of the relief operations :—

"There are about 325 unions in the Dacca district and each union consists of a number of villages, the members of which range from 8 or 10 to 30 or 40 in each union. Government have given Rs. 25,000 for distribution amongst the people residing in the various unions and thus the money obtained by each union would be about Rs. 70 or thereabouts on the average. We can safely assume that the average number of villages in each union would be about 25 or 30. It can be easily understood what would be the effect of distribution of Rs. 70 or thereabout in about 25 or 30 villages, and in places where the number of villages in a union is about 40, the allotment for each village would be a little less than Rs. 2".

Babu Surendra Nath Ray.

"Government help has been paid for proportionate distribution in all the different unions, but the sum mentioned is too inadequate, and it can very reasonably be said that this help of Rs. 25,000 has not improved the condition of the suffering people even a bit, while the help rendered by our public spirited men has confined itself to only a group of neighbouring villages. The poor middle class people will never go for a pittance of four annas or eight annas. The people most hardly hit are the poor middle class, whom agricultural loan would not help and also will not be in any way benefited by a gift of an insignificant sum".

I am informed the Government have since supplemented these contributions, but the funds at the disposal of the local officers are still much inadequate considering the extent of the distress.

The following is about Jessore :—

"Immediately after the cyclone the Subdivisional Officer of Narail left for the interior, visited all the places, formed committees, raised some money and made arrangements for its distribution and applied to Government for agricultural loans. But with all the good intentions he could make no headway as he was handicapped for funds. It was at this time that I reached Narail on the 23rd October and met him. He at once decided to come with us again to show us all that he knew, so that outside help might flow to alleviate distress".

It also appears that in some of the places in the Jessore district the paddy crop has suffered considerably. It is reported that not only 80 per cent. of the huts had fallen, but three-fourths of the crop had been destroyed.

This is what one gentleman wrote about one of the unions of Khulna only about a week ago :—

"There are ten villages under the union, and in all the villages famine conditions prevailed before advent of the devastating cyclone. The Khulna District Relief Fund sent Rs. 40 only to a branch relief committee formed and the three unions of Raghunathpur, Rungpur and Rudaghara. An officer of the Government came to inquire into the condition of the people with a view to open relief works. He promised speedy relief, but it is going to be more than two weeks since his visit, and as yet we have got no response. Two hundred and fifty families, consisting of nearly 800 persons, are having half meal or no meal daily."

The extracts to which I have drawn your Lordship's attention give only a faint idea of the real state of things. Those who had been to these places or have come from these places say that they cannot paint in their true colours the miseries of the people. There have not been any laches on the part of the Government officials to try to grapple the situation. The three Indian District Magistrates, those of Khulna, Faridpur and Bakarganj, did not blench from the helm when the wind blew highest. A gentleman from Dacca writes :—"The people of Dacca really owe a very deep debt of gratitude to their energetic and their sympathetic Magistrate to whom and to Mr. Hart the success of the relief work is to a great extent due." A friend who has recently returned from Manikganj speaks in the highest terms of the energetic efforts of the Subdivisional Officer there and of the circle officer at Baira. The Hon'ble Mr. Cumming has been to many of the affected parts and the representatives of the people have been up and doing in the great work. Your Lordship has placed a special officer, Mr. Hart, as head of the relief work. The officials and the representatives of the people have entered the field with whole-hearted zeal and are vying with one another in alleviating the distress of the people. There has been whole-hearted co-operation between the officials and the non-officials. If the people thought it their duty to lend their helping hand to their brethren in calamity, your Lordship's Government have

also considered it their duty to assist those whom Providence has placed under their control. Proper sanitary measures to guard against the outbreak of cholera or other epidemic diseases or the breaking out of influenza should be taken at once. The water of the tanks and streams have become foul on account of the decomposition of plants and trees, even dead bodies of animals and men. A gentleman writing from Dacca only last week says :—

"For some days after the cyclone the sight of the corpses floating on the river Padma was simply thrilling. . . . . It is useless to multiply instances of such horrible sights we have commonly met with in course of our daily work. . . . East Bengal have seen cyclone, flood and famine and are awaiting fourth, not less distressful than these, namely, epidemic of diseases."

Government have no doubt a programme of medical relief for the affected area, and their officers are doing spade work in certain centres. But the problem is a vast one, and must be grappled in right earnest.

Now let us see what is the amount which will be necessary to meet the present situation. It is no doubt very difficult, nay almost impossible, for a non-official who has no access to official papers except those which appear in the Government *communiqués* now and then to give an estimate even approaching to accuracy as regards the amount which will be required for the purpose of relieving distress. It appears however from the estimate of the Subdivisional Officer of Manikganj in the Dacca district that the damages caused by the cyclone in that subdivision alone would be about 25 lakhs of rupees. He does not state how much money will be required to feed the cyclone-stricken people for at least six weeks. It must be remembered that only three thana areas of this subdivision have fallen within the devastating ambit of the cyclone. He takes into account the number of cattle killed and wounded, number of huts blown down and damaged, valuable trees uprooted, the number of food-stuffs destroyed, including standing crops, as well as the number of boats sunk. I have tried to get similar figures with reference to other subdivisions, but I have not got them. Probably your Lordship's Government are in possession of them. But I think the subdivision of Munshigunj in the Dacca district where it is said there is not a single homestead which has not been affected, Kishoregunj in Mymensingh district and portion of Faridpur are more affected than the subdivision of Manikganj. If we take into account the damages sustained by the Bagerhat subdivision in the Khulna district and the Narail subdivision of the Jessore district, as well as some other subdivisions of Dacca, Bakarganj, Tippera and Mymensingh, we think the damages would come up to about 2 crores of rupees. I do not for a moment contend that Government are bound to restore these places and the men who have suffered to their original condition. I do not for a moment contend that Government should pay for the trees or for the boats sunk or the loss to the steamer companies, for they must have been all insured. But I think the suffering people, many of them in the lowest depths of poverty, can very well look up to Government, and does look up to Government, for their food and clothing for some time and for at least a portion of the cost of their huts. To add to the miseries of the people the price of jute which was Rs. 20 in August last is now Rs. 3 per maund. God knows the reason why? Government officers have no doubt been distributing cloth and rice in many of the affected parts and *rabi* crop seeds are being distributed through the Agricultural Department which is doing commendable work. But winter is approaching and unless these people get proper clothing or huts to live in, they will die by thousands. I think it is a fact well known to Government that agricultural loans, for which Rs. 21 lakhs have been granted, will not benefit the *bhadralok* classes or the lower landless classes either.

Babu Surendra Nath Ray.

We find from the Government *communiqué* published in the papers o the 8th November, after I had sent notice of my resolution, that your Lord ship's Government have given or are going to give, in addition to the grai of 21 lakhs of rupees in the shape of agricultural loans, the following relief :-

1. One lakh pairs of cloth, some at concession rates and some as gra tuitous relief. If we take the price of cloth at Rs. 4 per pair, and if we tak that half the number of clothes will be given as gratuitous relief, tha gives us 2 lakhs of rupees worth of cloth which will be given by Governmer as gratuitous relief.

2. Next as regards Burma rice. It appears that one lakh and seventee thousand maunds of Burma rice, which must have cost at least Rs. 6 pe maund, or rice worth about 7 lakhs of rupees have been purchased by Govern ment and consigned to Dacca, Faridpur, Mymensingh and Khulna. If half o this rice has been or going to be distributed as gratuitous relief, we see tha rice worth about 3½ lakhs of rupees will be given as gratuitous relief.

3. We next find that Rs. 60,000 have already been distributed as cas in the district of Dacca, whereas Rs. 45,000 have been sanctioned for th districts of Faridpur, Bakarganj, Jessore and Khulna, *i.e.*, about one lak and five thousand rupees have been spent or are going to be spent on thi head.

We therefore find that Government have already spent or are going t spend almost immediately more than 6½ lakhs of rupees in gratuitous relief We also find that it will require 3½ lakhs for reconstruction of Public Works Department buildings, whereas those under the Police Department will require 4½ lakhs for reconstruction or repairs, *i.e.*, more than 8 lakhs o rupees will be necessary to reconstruct the Government buildings. Then there is one more serious damage which demands our urgent attention It is well-known that most of the schools of various grades in the affected area used to be housed in *kutcha* or tin roofed bungalows and these have not been able to withstand the fury of the cyclone, with the result that most of these educational institutions are seriously handicapped for want of suitable habitation and some of them may even have to close. Unless Government step forward and give substantial aid to these institutions, educational pro gress in Eastern Bengal may be set back for some time.

Of the 6½ lakhs of rupees for gratuitous relief, we think about 3 lakhs of rupees have been raised by private subscription, leaving 3½ lakhs to be de frayed from the budget estimates of the year. This is only expenditure so far incurred. It appears from the report of the Bengal Relief Fund Committee, published in the *Amrita Bazar Patrika* and the *Bengalee*, that about Rs. 1,45,000 have been spent by them in gratuitous relief in the shape of cash, Burma rice and cloth. We find that cash, rice and cloth worth Rs. 35,000 have been given to Dacca, Rs. 44,000 to Mymensingh, Rs. 14,000 to Faridpur, Rs. 7,000 to Barisal, Rs. 2,000 to Comilla, Rs. 3,000 to Chandpur, Rs. 8,500 to Jessore and Rs. 6,500 to Khulna ; Rs. 6,500 to the Ramkrishna Mission Relief Committee, Rs. 5,000 to the Social Service League Relief Fund, Rs. 5,000 to the Brahmo Samaj Relief Committee and Rs. 5,000 to the Medical Relief Committee. It also appears that a sum of Rs. 3,210 have been subscribed to the fund organized by the Servants of India Society for the relief of distress in Eastern Bengal.

I take it that the amount which is being spent or will be spent for the relief of the cyclone-stricken people will no doubt be spent from the budget estimates of this year by postponing what the Government consider to be necessary items of expenditure. Your Lordship must have observed the fight that goes on year after year between the non-official members of this Council and the official members during the budget time if the non-official members

want to divert any money from the budget allotment to any item of expenditure which they consider would go to support a popular measure. I attribute this attitude on the part of Government to the fact that Government are not very flush of money. For four years Government had to postpone spending of money on many useful projects. If the necessary items of expenditure be not spent this year on the several heads for which they are allotted but are spent in the cyclone relief work, the works will have to be undertaken next year from the next year's budget. But if the money which will be necessary for cyclone relief be not entirely borne by your Lordship's Government, but if a portion of it at least be borne by the Supreme Government, the necessary provincial works may go on, whereas the relief work will not suffer. Appeals have gone forth on behalf of the famished people of this country to England and even in the continent of Europe, and those appeals were always responded to. There have been ere this meetings in the Mansion House under the presidency of the Lord Mayor to relieve the distressed people of this country and moneys have been collected and sent to this country. I see no reason why your Lordship's Government should not approach the Government of India for some money to aid the afflicted. There may not be any constitutional or statutory obligation in such matters on the part of the Government of India to give financial aid, as in the case of famine. But I venture to submit that the Supreme Government has a sacred duty to step after such visitations of nature, and place substantial funds at the disposal of the provincial authorities to enable them to meet a situation so tragic and so unprecedented.

Your Lordship was pleased to issue an appeal on the 3rd October on behalf of the sufferers from the cyclone in East Bengal. Your Lordship was pleased to state that though some time must lapse before it is possible to form a complete estimate of the damage done, it is clear from the reports which have already reached the Government that distress of a serious nature prevails in the affected areas. The Government are doing what is possible in the way of granting relief, but when the Government have done all that is possible with the resources at their disposal there will be still immense scope for charitable assistance. Under these circumstances, I have no hesitation in appealing to all who are in a position to do so to assist their less fortunate fellowmen, who, at a time of abnormal economic strain, have had their lot rendered still more difficult by this calamitous visitation of nature. Your Lordship's appeal has had the desired effect. The public have come forward, the mercantile community—both European and Indian—have come forward to relieve the people in distress. Why should not the Government of India stretch out their helping hand in this critical time. If there was a time when help was necessary it is this.

One word more and I have done. If your Lordship's Government as a government do not think it proper to approach the Government of India for help, let the appeal go forth in the name of the non-official members of this Council."

The Hon'ble Mr. Cumming said :—

"My Lord, it would possibly conduce to the despatch of business in this Council if I were to announce at this stage that Government are prepared to accept this resolution as it is worded; in view of the fact, as I shall explain later, that Government have already taken action on the lines suggested. The Hon'ble Member's resolution, as it appears on the agenda, might bear one of two interpretations. One might be that in view of the amount which the Bengal Government are spending in connection with cyclone relief, which was an unexpected drain on the finances of the province in a year of stress, the Government of India might be asked to

recoup the Local Government to some extent for this unforeseen expenditure Another interpretation might be that in view of the extent of the damage done and the suffering caused, the Bengal Government's contributions were not sufficient and that an appeal should be made to the Government of India to supplement the expenditure of the Bengal Government. As far as I have followed the Hon'ble Member's speech,—and I may say that at the beginning of this sitting, he did me the courtesy of handing to me an advance copy of his speech,—it would appear that he desired to support both of these suggestions. Before, however, dealing with what might be termed the broad financial aspect of the resolution, I should like to deal in detail with a few of the allegations of fact which the Hon'ble Member has made and with some of his statements. Government desire to acknowledge the appreciative reference which has been made by him to the work of the officers of Government in connection with the relief that has been instituted.

As regards the communication of information at the very beginning to the headquarters of Government, the Hon'ble Member has perhaps overlooked the fact of the breakdown in communications. At one time the Commissioner of Dacca could only communicate with the headquarters of Government through Rangoon. The Hon'ble Member does not seem to be aware of, or has overlooked, the fact that from the very moment that information came in sufficient quantity and of sufficient importance to the headquarters of Government, an extremely unusual order was given to every District Officer concerned to spend as much as he thought fit in anticipation of any sanction. The Hon'ble Member has also referred to certain reports which have been communicated to him or to the press. In this connection I should like to say that if any member of the public in his experience finds that there are defects which might be remedied, both Mr. Hart and myself would welcome any information; such information should be communicated direct to Mr. Hart who is in administrative control of these operations.

Another small point to which the Hon'ble Member has referred is his inability to understand why the price of jute has lately fallen which, he states, adds another factor to the difficulty of the situation. On that point there was an answer to question No. VIII given this morning, the essence of which is that it is due to causes entirely outside of, and beyond the control of, not only the Bengal Government but Bengal.

As regards the subject of medical relief, I can say that in the area where it was most required it was given promptly; and that arrangements are now in hand, and have been in hand, for extending such relief where it is required. I have of course no wish—far from it—to minimise the extent of the damage that has been done. But here again I think the Hon'ble Member has overlooked certain points which, if he were a resident in one of the eastern districts, he would have noticed. In the first place, particularly in Mymensingh, the raiyats themselves have rebuilt their houses very promptly either by their own labour or by helping one another. In the second place, all over these districts the larger buildings which belonged to people of capital are being rebuilt, and have been rebuilt, with surprising rapidity, from which the labouring population have received a great deal of advantage. As we know, in famine times the difficulty is to create work in return for help. But in this case work was universally open.

The Hon'ble Member does not ask that all damages should be made good. He says, however, that the suffering poor—if I quote him correctly—can look up to Government for food and clothing. I may say at once that that is exactly what the officers of Government are endeavouring to provide by themselves or in co-operation with non-official agencies. Throughout the Hon'ble Member's speech I have not heard any reference to any principle which governs the grant of relief on an occasion of this nature. The only approach which I can find to such an enunciation of principle is the statement that the Government of India—the supreme Government—have a sacred duty to

perform by stepping in after such a visitation of nature and by placing substantial funds at the disposal of the Local Government. These, my Lord, are a few comments on certain statements of the Hon'ble Member. I said, however, that I should like to deal with the broader aspect of the question; and this is exactly the aspect on which the Hon'ble Member has not favoured the Council with any remarks.

It is first of all necessary to understand what the facts are regarding the financial expenditure; and, secondly, to realise what are the limitations on expenditure by the State from funds contributed by the general taxpayer on the relief of distress, whether caused by famine, earthquake, cyclone, storm-wave or any other visitation of nature.

Now let me state very shortly what are the financial facts. Government have allotted certain sums which have been announced in the *communiqués* published. These sums are paid from the Provincial finances. At the same time a large sum has been obtained from the Government of India for the purpose of loans; for it should be understood that, according to present financial arrangements, the Local Government borrows from the Government of India all monies that it gives out in loans, whether to local bodies or private individuals. The Government of India have further been requested that the expenditure incurred by the Government of Bengal should be treated in the same way as expenditure incurred in the relief of famine, namely, that three-fourths of it should be redeemed by the Imperial Government and one-fourth left to the debit of the Local Government.

Then as regards charitable funds, a considerable sum has been locally subscribed in all the districts which has been locally expended, practically on pure charity. A non-official Relief Fund known as the Bengal Relief Fund has been constituted. In addition, the Cyclone Central Relief Fund was inaugurated under His Excellency's auspices, while there are other private charitable organizations which have given their funds and their agents for its distribution. The Government of Bengal have also allotted certain sums from the income of charitable endowments, of which the Local Government is the trustee; and Government have also asked for a grant from the Indian People's Famine Trust. Finally, the public have been informed that the distribution of all the non-official charitable funds has been so worked out as to prevent, as far as possible, mutual overlapping or overlapping with the money spent by Government on charitable relief. These, my Lord, are shortly the facts regarding the financial aspect of the question.

The second point is very important, namely, the necessity for an appreciation of the limitations on the expenditure by Government of money belonging to the State; and here we must have recourse to principles. Let us in the first place examine whether the relief of distress occasioned by a natural calamity is covered by any of the objects for which civilised states are maintained. We have the authority of John Stuart Mill that Government may take upon itself anything really important to the general interest; and we have a long range of authorities from Hobbs and Bentham down to President Wilson of the present day for the proposition that one of the ministrant duties of the State is the care of the destitute. If these propositions be accepted, it has, in the second place, to be considered what limitations there are on such expenditure, namely, on the expenditure of State funds for the relief of distress. Here we are dealing with the position in India. Fortunately, the whole question of the delimitation of expenditure on the relief of distress between State funds and private funds has been more clearly enunciated in India than in any western country. For an examination of that principle we need not go further back than 1878, when in the correspondence between the Government of Lord Lytton and the Secretary of State, who was then Lord Cranbrook, it was stated that Government is responsible, as far as may be

practicable, for the saving of life by all available means in its power. The same principle had been enunciated previously in Great Britain in the terms that every civilised society finds it necessary to provide that no person shall perish for want of the bare necessaries of existence. At the same time, English authorities laid down a clear distinction between State relief and private charity. This principle was re-stated at the time of the great 1896-97 famine by the Government of India in the following words :—

"As we have said, we accept as our own the responsibility for saving life. But life once secured, our responsibility to the afflicted ceases and our responsibility to the tax-paying public begins."

The Government of India in 1896 prepared a statement of the objects, to which private funds, as distinguished from State funds, might be applied. It was declared that there was ample scope for the exercise of private charity in supplementing the operations of Government in mitigating suffering and in relieving distress which fell short of absolute destitution. Four main objects were enunciated on which private contributions might usefully be expended ; first, in supplementing the subsistence ration provided by public funds ; secondly, in provision for the maintenance of orphans ; thirdly, for the relief of the middle class poor ; and fourthly, for giving a fresh start to those who have lost their all. When the Indian Famine Charitable Relief Fund was constituted on three occasions within recent times after the 1896 famine, after the 1899 famine, and after the 1909 famine, a statement of these objects, on which private contribution might legitimately be expended, was accepted by those who were responsible on each occasion for this relief fund. In more recent times, on the occasion of the floods in the Burdwan Division in 1913, this delimitation of the spheres of public and private relief was recapitulated. In connection with the opening of the relief fund which was then constituted, Lord Carmichael said that it was the duty of Government to preserve life by giving a maintenance to the destitute : but that Government had a duty to those whose money it spends ; and that Government would not undertake to replace actual losses. The Hon'ble Mr. Lyon on the same occasion said that Government as guardian of the public purse was subject to rules which prevented it from yielding to charitable impulses when dealing with the money of the taxpayer.

In a further subsequent communication to the Committee of the Fund, the Bengal Government of that day made a declaration of principle in the following terms : that gratuitous relief was for the relief of immediate personal distress due to want of food, temporary shelter and medical help : but that Government could not undertake to restore houses, or supply seed or cattle gratuitously, though assistance might be given in these respects by means of agricultural loans. And, finally, in making the appeal to private benevolence in connection with the recent cyclone, on the 3rd October last, His Excellency declared that when Government had done all that was possible with the resources at their disposal there would still be immense scope for charitable assistance.

The Hon'ble Mover has given to the Council his estimate of the total loss to property caused by the cyclone. I should like to say at once that such estimates were placed in my hands very early in the course of the relief operations. They had been prepared very hastily on imperfect information by sub-inspectors of police-stations ; and I discarded them as utterly unreliable. At the same time, if, by any hypothesis, these estimates might be considered as accurate, Government in its capacity as custodian of the public purse, has never undertaken and cannot undertake responsibility to replace actual losses or to meet the cost of repairs of all damages. It is true that the Hon'ble Member did state that he did not ask for so much ; but nevertheless the whole purport of his arguments was that a great deal more should be

done, towards the replacing of losses. It is, my Lord, not only a question of the liability of the State, but a question of the pauperization of the people. Indeed, the Hon'ble Member seems to be labouring under the misapprehension that State relief is charity. This is a fallacy; State relief within its proper sphere is not charity, it is an obligation on the State. Indeed as regards the relief of distress in India on the occasion of a famine there is one thing that can be said, and one eminent authority has said it,—namely, that the State relief of distress in India, if properly organized, does not demoralize the people. It is therefore clear that there has been a definite principle and a consistent application of that principle in the policy adopted by the Government of India and by Local Governments in dealing with the relief of distress after a natural calamity. It is true that such a principle was first enunciated in connection with distress due to famine; and that the circumstances of distress due to a cyclone or a similar calamity are somewhat different. Granted: it is of course the fact that at one and the same time practically the whole population in the area affected by storm is afflicted; and this justifies a liberal interpretation of the principle of saving life. Government and its officers have on this occasion interpreted that principle in a liberal way. The methods ordinarily adopted in the case of famine for giving relief in return of work of some kind are not specially applicable to the present position; for this reason on the present occasion, apart from purely charitable relief for the helpless, a great portion of the Government relief has been in the form of the sale of cloth or of rice at cheap rates in areas where cloths were wanting or where the rice-supplies have been damaged or destroyed. Where the assistance is given in the form of gratuitous relief to those who are not absolutely helpless, then the relief trenches on the jurisdiction of that which is debitable to private benevolence. After a reasonable lapse of time, when immediate and almost universal distress has been temporarily relieved, it is right that the standard principle should obtain; and that the obligation of Government should then be limited to the grant of gratuitous relief in the shape of money or cloth, or grain to widows, orphans and people without resources or to people incapable of doing any work either through age or infirmity, and to the grant of loans to those who have resources. The subscriptions which have been contributed by the various relief funds are being utilized either to supplement what is given by Government or as grants to those persons who do not come within the strict category of those who according to this long-standing policy are the suitable recipients of relief from the State. I may state here that the principles which I have now enunciated were placed by me before the Executive Committee of the Central Cyclone Relief Fund, on which there are representatives of four of the non-official organizations; that these principles were accepted by that Committee; and that a Memorandum which I had prepared on the subject has been widely circulated amongst those interested.

I have explained at some length, my Lord, the matter of the jurisdiction of State relief, as it is clear that there is some misapprehension on the subject. Before I conclude, may I summarize very shortly what Government have done compatibly with these principles which have been enunciated? I maintain that subject to these principles Government have a clear conscience that they have done what is right both towards the afflicted and towards the tax-payer. First of all, 1,50,000 maunds are under purchase by Government at a cost of 9 lakhs of rupees. The prime object of this was to supply a cheap rice for sale and not to dispense charity; but of this not an insignificant portion has been given away as gratuitous relief to suitable recipients. Secondly, 500 bales of cloth, valued at 4 lakhs of rupees, have been purchased by Government. Of this portion has been distributed gratuitously, and the balance is being sold. Thirdly, 21 lakhs of rupees have been obtained for agricultural loans to cover the requirements of seed, cattle and rehousing in the case of agriculturists; and, fourthly, more than one lakh of rupees has been given in cash for direct gratuitous relief from Government. This is a short statement of the financial position at the present moment.

The Hon'ble Member while mentioning the specific sum of 50 lakhs has also suggested in his resolution an indefinite alternative,—namely, whatever sum may be thought necessary. I stated at the beginning of my remarks that Government would be able to accept the resolution as it is worded, because Government have already taken action on the same lines; and I now repeat that, on the understanding that the actual amount is at the discretion of the Bengal Government, and also in view of the fact that the Bengal Government have already taken action by obtaining loans from the Government of India, and by asking the Government of India to recoup the Bengal Government a considerable portion of the expenditure incurred and that they have therefore already carried out the literal terms of the resolution, Government are prepared to accept it. But I must emphasise that this acceptance is contingent on the understanding to which I have referred. Government cannot relinquish the principle and the policy which I have endeavoured to explain to the Council."

The Hon'ble Mr. Meares said :—

"My Lord, I do not think the Hon'ble Mover can be fully aware of the conditions as they now are in the affected areas. As is nearly always the case in distress of this description it is immediate relief that is most needed. Prolonged relief for several weeks or months should only be necessary in the more acute cases, and such cases can only bear a very small proportion to the whole. The immediate extreme distress following on the cyclone was removed by the very prompt action taken by the Government in distributing the necessities of life, and these steps have undoubtedly played by far the most important part of any relief work that has been done. I was at Narayanganj at the time of the cyclone and have been there ever since, so have had every opportunity of studying conditions at first hand. The standing crops suffered comparatively little; in fact the rice crops have benefited by the heavy rain; houses have been reconstructed and work generally is now going on normally. I am not saying that there are no cases requiring further relief. There are the widows and orphans of those who were drowned during the cyclone who will require help for some time, and these are the more acute cases I have mentioned. The work of general relief, however, which has now been going on for some time should now be sufficient to meet the case of the majority, and large additional funds can hardly be necessary. Besides the help rendered by Government, large subscriptions have been collected, and the position now is such that part of those subscriptions might very well be reserved to meet the more urgent and prolonged cases where it is necessary."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am very much obliged to Your Excellency's Government for having accepted the resolution. That is all I have got to say."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble Maulvi A. K. Fazl-ul-Haq being absent, **the Hon'ble Maulvi Abul Kasem** moved the following resolution on his behalf :—

This Council recommends to the Governor in Council that the typists attached to the offices of the Director of Public Instruction and the Inspector-General of Police be placed on the same footing regarding pay and prospects as the typists in the Bengal Secretariat.

Maulvi Abul Kasem.

He said :—

"My Lord, after having considered a question of such great importance as the relief of distress caused by the recent cyclone in Eastern Bengal, I feel a little diffidence in taking up such a trivial matter as the pay of a few typists in Government offices. But the absence of my Hon'ble friend, Maulvi Fazl-ul-Haq, has thrown this responsibility on me, and I think that though the resolution be unimportant and the number of people affected by it small the question is certainly deserving of consideration. In March 1918, my Hon'ble friend, Rai Mahendra Chandra Mitra Bahadur, moved a resolution in this Council that the pay of the typists in the Bengal Secretariat should be raised to a uniform grade of Rs. 40 to Rs. 100 by annual increments of Rs. 5. This resolution was accepted on behalf of the Government by the Hon'ble Mr. Donald with certain modifications. We are glad to find that effect has been given to that so far as the typists in the Secretariat are concerned. But, as the resolution itself says, this was not done at least in the offices of the Director of Public Instruction and the Inspector-General of Police, where the typists used to enjoy the same pay and had the same prospects as typists in the Secretariat. Their case was not considered and in reply to a question put by my friend, the Hon'ble Maulvi Fazl-ul-Haq, he was told by the Hon'ble Mr. Payne that Government were not considering the proposal of raising the pay of the typists in the heads of departments to a uniform grade with those of the Secretariat, and it was added that there was always a difference in pay between the clerks serving in the Secretariat and those serving under heads of departments. It may be that the clerks in the Secretariat are differently treated from the clerks in the office of the heads of departments—as a matter of fact, in mufassal offices they are treated much worse—but the case of the typists is quite different. They were on the same pay as the Secretariat typists and so they have a very just grievance in this matter. Till 1906 I am told the typists were in the general cadre of clerks in the office of the Director of Public Instruction; it was then under the Hon'ble Sir Archdale Earle. He suggested that there should be a separate cadre for typists in his office and that was accepted by Government. On the recommendation of Mr. Kinchler the pay of the typists in the office of the Director of Public Instruction was fixed on the same basis as that of the typists of the Bengal Secretariat, viz., Rs. 30—50 in one grade, and Rs. 50 to Rs. 70 in another. There the matter rested and there was no change in their position. The typists of the Bengal Secretariat brought their position to the notice of Your Excellency's Government through the Hon'ble Rai Mahendra Chandra Mitra Bahadur, and their prospects were improved, but the typists in the office of the Director of Public Instruction remained in the same position in which they were, even in these days of high prices when they find it difficult to make both ends meet. This class of typist does not belong to the general office cadre, and they do not enjoy the chances of promotion which are open to other clerks; they form a cadre by themselves, therefore their position deserves consideration. The Hon'ble Mr. Donald, while speaking on the resolution of the Hon'ble Rai Mahendra Chandra Mitra Bahadur, said that no difference should be made between typists; they do the same class of work, the work of copyists, and as soon as they show a sufficient amount of efficiency, they should all be treated in the same manner. I think that dictum applies equally to the typists serving in the Secretariat, as well as under the Heads of Departments. In this case I think I have official support. Mr. Woodsworth, the Director of Public Instruction, moved in the matter and recommended that the typists in his office—there are six or seven typists altogether—should be placed in the same cadre as the typists in the Secretariat, and I think Your Excellency's Government will consider it worth while to give them the relief which they deserve."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, the Hon'ble Member has himself admitted that this is a trivial and unimportant resolution; and personally, I venture to think it a pity that our clerks, when they wish to secure an enhancement of a few rupees, should get into the habit, instead of going to the departmental heads who know what the facts are, of running to members of the Legislative Council and enlisting their support for the public ventilation of these matters in an august body like Your Excellency's Council. This august body is not in such a good position as the Secretariat to say whether a clerk's salary should be one or two rupees higher than it is. Another incidental difficulty in which Hon'ble Members involve themselves by letting their kindlier feelings perhaps run away with them, is that they are not acquainted with the real facts, and they do not put their resolutions in a complete form. If the object of this resolution is to place all the headquarters offices in Calcutta in which a special grade of typists is employed on the same footing as the Secretariat in the matter of their pay, then the resolution is not complete in merely mentioning the offices of the Director of Public Instruction and the Inspector-General of Police, because it should also include the offices of the Board of Revenue and the Collector of Customs. I merely mention this in illustration of the difficulties which I apprehend are characteristic of this type of resolution. The actual point is, whether in place of two grades of Rs. 30 to Rs. 50 and Rs. 50 to Rs. 70 for typists specially employed as such, we should give a pay of Rs. 40 rising by annual increments to Rs. 80. It is a trifling matter of a few rupees, and the Hon'ble Member apparently thinks that, because it is small, we should agree to it. But we do attach importance to the principle, which is not only characteristic of typists but of other grades, that in the Secretariat we pay slightly higher than in the offices of heads of departments. It is a principle of long standing and it works in the sense that we do get men on the scale of pay offered who can be entrusted to do their work efficiently. Although it is merely a matter of a few rupees, it is relevant that on the pay we offer we can get men, and we are not offering them a pay below the market rate. It is obviously easy to say that because a man is doing the same sort of work on this side of the street, he should be paid the same as a man doing similar work on the other side of the street. But it is the case that the work of the Secretariat is more responsible, more open to public criticism and attracts more public attention; therefore we give a trifle more so as to try to get the cream of the market; whether we succeed or not, is another matter. Candidates being forthcoming under these conditions, we do not propose to accept this resolution. I have several times mentioned in this Council, and I will mention it again to-day, that our financial position is anything but satisfactory, and that fact will be brought forcibly to the attention of Hon'ble Members, if, as proposed very shortly, we have the Financial Relations Committee sitting to decide the future relationship between the provinces and the Government of India. It will then be brought home to Hon'ble Members that the financial position of the Government of Bengal is by no means what we would like to see it in view of the many urgent calls upon us, and therefore, in so far as this is not an urgent call, I do not think we should accept it."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I got this resolution as a legacy from my Hon'ble friend, and I am not prepared to press it after what has fallen from Sir Henry Wheeler. Before I withdraw it, however, I would like to submit in reference to what Sir Henry Wheeler has been pleased to observe that there has been a difference in the pay of the Secretariat clerk and the clerk in the offices of the Heads of Departments. But so far as the typists are concerned, since 1906

they have been drawing the same pay as the typists in the Bengal Secretariat and if there has been a rise in the pay of the Secretariat typist, I think the typists serving in these two departments can naturally expect that their pay should be raised, and that there was sufficient justification for making this demand. However, as circumstances are, I beg leave to withdraw the resolution."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 10.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken without delay for the improvement, re-excavation, renewal or reconstruction of irrigation tanks in Bengal, and that necessary legislation in this connection be taken up as early as may be practicable.

He said :—

"This is a resolution which, in my humble opinion is, I think, of no less importance than that which we discussed a little earlier. The question of irrigation tanks greatly affects agricultural conditions in this country, and as agriculture is the mainstay of the people of this country, I think its importance cannot be under-estimated. As regards the question of re-excavation of irrigation tanks, so far as I am concerned, I may say the initiative in this matter was not taken by me. Your Excellency is aware that the initiative was taken by Mr. Birley, the Collector of Burdwan, whose services we have lost—which I regret very much—as he has gone on leave. He did much good and solid work for the agricultural classes and his interest in their welfare prompted him to write a letter on the subject of irrigation tanks to the Government, asking that Government should take steps in this matter; he did me the favour of sending me a copy of that letter, and I accordingly felt it my duty to send notice of a resolution on this point in order to draw the special attention of Your Excellency's Government to this question. The resolution is so worded as to affect the whole of Bengal, but I will only speak with reference to the district from which I come in Burdwan and the neighbouring districts of Birbhum, Bankura and a portion of Hooghly-Chinsurah where we have an enormous number of irrigation tanks, the majority of which have silted up or are being silted up. The question is, can we re-excavate them? Now certainly the owners have no interest in them, neither have the zamindars nor tenure-holders or the raiyats on fixed rent. They are not interested in the irrigation of the land lying on the borders of those irrigation tanks for they may either cultivate it themselves or let it out for cultivation as paddy land to other raiyats, and naturally as they have no interest in re-excavating or improving these tanks and no pecuniary interest in the matter, they will not move in the matter. The result is that these irrigation tanks are in a deplorable condition and agriculture suffers to a very large extent. Last year, my Lord, we expected a bumper crop of rice; we had very good rains in the earlier rainy season in July and August and crops were ready for ripening; then there was a failure of rain in October with the result that nearly half, if not more, of the crops were lost. This year, my Lord, there was shortage in the earlier part of the season, but all the same we managed to get land cultivated and the crops were growing satisfactorily, but there was again a failure of rain in October with the result that much of the crop was damaged, and we had a much smaller crop than we otherwise expected. But if these irrigation tanks were serviceable, we could have arranged to irrigate this land and keep

them in order and therefore save this crop from dying out. As the details of the question have been given in Mr. Birley's letter to Your Excellency's Government, I think it will not serve any good to recapitulate them. I appeal to Your Excellency's Government to take steps in the matter so that agriculture in my part of the Province may flourish and improve as it ought to, so that we may not entirely depend on nature for our agriculture. Of course when there is a complete failure of rain, there will be no crops and famine—that we understand—but for the simple failure of one rainy season if the crops die out, this is a matter of regret and misfortune, and steps should be taken to avoid it. My Lord, various suggestions have been made that under the Village Self-Government Act the village boards are given authority to take loans for re-excavating these tanks and recoup the same by taxing the people whose lands will be irrigated by these tanks, and I think the raiyats, as far as I have been able to ascertain, and so far as the officials are concerned, they will also agree in the matter. They will gladly pay up to make up the interest and sinking fund on the loans that may be necessary. They will gladly do it, if it can be done in two or three years, and they are only too anxious that it should be done. If they have not moved in the matter, it is because they could not, and it remains to the credit of Mr. Birley, and I hope that his efforts in this measure will meet with success."

The Hon'ble Mr. Cumming said :—

"My Lord, in this case also Government are prepared to accept the resolution on the ground that action has already been taken on the lines proposed by the Hon'ble Member. Government have indeed taken action in two ways. Government have taken action in the first place in different departments without the aid of legislation; and in the second place Government have initiated legislation for this very object, namely, the improvement or re-excavation of irrigation tanks in Bengal. I shall take up the question of legislation first. In March of this year the Government of Bengal appointed a Committee to consider the whole question of legislation for sanitary and agricultural improvements, for the reason that the existing acts were unsuitable. The application of the Embankment Act was too limited; the procedure of the Drainage Act was too cumbrous; and the Sanitary Drainage Act was not applicable to purely agricultural projects. This Committee was well constituted: it had representatives of four district boards who were interested in the matter under discussion. The Committee duly submitted their report and a draft Bill was prepared, the intention of which was to consolidate the existing legislation and to correct the lack of elasticity which was the main fault of the present law. This Bill is designed to cover both large and small schemes. Amongst the latter will be those to which the Hon'ble Member has drawn attention. It has already been submitted to the Government of India; and it will, I trust, if enacted, achieve the object which the Hon'ble Member has in view. In the next place, Government have already taken action without the aid of legislation. This action has been confined, as is natural, to the Burdwan Division, the interests of which the Hon'ble Member represents in this Council. I shall take in turn the case of three districts.

In the case of the Birbhum district, I have ascertained from the Collector, Mr. G. S. Dutt, that the District Agricultural Association and various branch associations, which now number no fewer than 80 in his district, have taken up the question of the re-excavation of irrigation tanks. So far 21 such tanks have been re-excavated, resulting in an increase of 1,600 bighas of irrigated area; and the re-excavation of 132 more such irrigation tanks is under consideration by these branch agricultural associations. Then, as regards the district of Bankura, the construction of tanks has been a feature of famine relief works during the last two famines. In the relief of the 1915 distress,

Rai Mahendra Chandra Mitra Bahadur.

62 reservoirs were re-excavated ; and during the present distress, 25 more such irrigation tanks have been similarly treated. Both the Commissioner of Burdwan and myself can bear testimony to the incalculable benefit which the raiyats have derived from this work which has been accomplished through famine labour. Apart from that, the Director of Agriculture is giving his attention to the promotion of irrigation in this district ; and the Co-operative Department is endeavouring to solve the water-supply problem by the formation of co-operative societies. The Hon'ble Member has also mentioned certain proposals submitted by Mr. Birley, the District Officer of Burdwan. These proposals have been received by Government and have been considered. One of his suggestions is the same as that mentioned in the case of Bankura, namely, the constitution of co-operative irrigation societies. The other points mentioned by him are of a somewhat technical nature ; but they have been and will be further considered.

I should like to point out to the Hon'ble Member in this connection that while the Agricultural Department, the Co-operative Department and the Public Works Department can give advice and counsel, and while it is hoped that this new legislation, if it materializes, may correct many of the existing defects of procedure, yet work of this description, namely, minor irrigation, is emphatically within the domain of private effort. Government therefore consider that the most practical line of advance for the object which the Hon'ble Member has in view, is through branch agricultural associations and through co-operative societies which may take up individual schemes. I repeat that Government accept the resolution ; but would emphasise the proposition that if any genuine instances of self-help in the construction of irrigation reservoirs come to the notice of Government, such genuine instances of self-help are most likely to receive the assistance of Government."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have come to the Council to support this resolution of my learned friend, but I see that the Hon'ble Mr. Cumming has accepted the resolution. Allow me, therefore, my Lord, to say that the raiyats of the Burdwan Division are very grateful to your Excellency's Government for steps having already been taken in the direction which the resolution emphasises. My Lord, when the Bengal Village Self-Government Act was passed we thought of this matter, and we thought at that time that the provisions of section 30 of the Act would meet the point which has been raised by my learned friend. But I find to my disappointment that although a district is now a net work of unions, they are unable to take up the irrigation work which is the subject matter of consideration by Your Excellency's Government to-day. Under the provisions of section 30 of the Act, Union Committees have authority to excavate, re excavate or repair tanks, and under the provisions of section 45 of that Act grants-in-aid are given to Union Boards by District Boards, but the money of the district board cannot be spared largely in this direction. Supposing in a district there are 140 unions, what amount of money can be allotted to the union boards, if a difficulty arises as to how to meet the irrigation tanks.

I am very glad to hear to-day that legislation on the subject of improving irrigation tanks is going to be materialised. No subject is more important than the improvement of irrigation tanks. If these tanks are improved and repaired, I am sure that there will be less scarcity than what we are now to face. It is necessary that private zamindars should come forward and co-operate with Government, but the difficulty is that these zamindars are mostly absentee

landlords and consequently the improvement of irrigation is neglected. Your Lordship may perhaps be aware that in many parts of the districts of Burdwan and Hooghly the irrigation tanks have silted up. We find that Civil Courts are flooded with law suits as to the right of prescription in making use of the water of the tanks. The result is that the tanks are not improved and they are allowed to run into a very bad condition and consequently water cannot be available from them. Therefore, it is a pleasure to us to-day to hear that legislation is going to be taken up on this subject. If this is done earlier, so much the better for us, especially for the agriculturists.

With these few observations, I support the resolution."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am very grateful to Your's Excellency's Government and to the Hon'ble Member in charge for the very sympathetic reply he has given and for having accepted the resolution. I quite agree with him that in the matter of minor irrigation the principle of self-help should exist and that we ought to work it out ourselves.

Reference has been made to the network of organization in the district of Birbhum for agricultural improvements ; and I, my Lord, here gratefully acknowledge the good services rendered by Mr. Dutt, the Collector of the District, for the improvement of agriculture and for his activities in many other directions. He has done many things there, and if these agricultural tanks have been re-excavated it is to a very large extent due to the energy and devotion to duty exhibited by Mr. Dutt himself. I am sure that if Mr. Birley had been in Burdwan for some time longer, we would have all our complaints removed. But that is not to be so. In this case, my Lord, as I began by saying that the interest of the owners of tanks lies in the fact that if these tanks are allowed to silt up they can be let out for cultivation, and we have to take note of that. In the matter of irrigation tanks, as in all other matters, we must take note of human nature as it is. Nobody is going to spend money or allow anything to be done which interferes with his own personal and pecuniary interests. So we want legislation so that irrigation tanks may be re-excavated, although the owner may not like it or may object to it. However, as Government have already taken action in the matter, I can only say that we are deeply grateful to Government ; and in this matter we can safely congratulate ourselves that the usual delay, which takes place in Government offices in taking action on suggestions made, has not taken place, and the matter has been expedited as much as possible."

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that the name o the Burdwan Municipality be removed from the First Schedule to the Benga Municipal Act, 1884, at an early date.

He said :—

"My Lord, it is almost to a day this year that I had the honour—and might say almost the misfortune—to move in this Council a resolution that the

Maulvi Abul Kasem.

order of supersession passed on the Burdwan Municipality be withdrawn. I was then unsuccessful and my wishes did not meet with the approval of Government. I hope to have better luck on the present occasion. The Burdwan Municipality was superseded in October 1918, and under the orders of supersession it was restored to a body of Municipal Commissioners in October 1919. But in the meantime Government were pleased to put the name of the Burdwan Municipality in the First Schedule by which the rate-payers and the citizens of Burdwan lost the right of electing their own representatives on the Municipal Board, and I submit, my Lord, that there was no justification for depriving them of their rights. True it is that fault was found with the body of Municipal Commissioners who had the charge of the municipality in 1918 and that they had not worked satisfactorily. That is a question on which it will serve no useful purpose to dilate now. But neither in the Government resolution superseding the municipality nor from any other facts has it been proved that the rate-payers of Burdwan have failed to discharge their duty for which they ought to be disenfranchised. The Burdwan Municipality has been in existence for a very long time, and I remember, my Lord, that only very recently it was recognised as one of the best managed municipalities in the province. When the Government of Bengal thought it fit to give some little freedom to some of the selected municipalities in the matter of the preparation of their budget, Burdwan was one of the three municipalities in Bengal chosen to exercise that power and that liberty.

Now, that freedom has been granted to almost all the municipalities, and whenever there was an occasion to give a place of honour or of some advantage to any of the municipalities, Burdwan was at least one of those selected for the purpose. I might mention that during the Coronation of His late Majesty King Edward VII, of all the mufassal municipalities only two in Bengal, viz., Cossipore-Chitpur and Burdwan, were allowed the privilege of sending an address to the Government of India, and we had in the Government resolutions good words said about us. All of a sudden, Sir, because a particular body of Municipal Commissioners failed in their duty, are we the citizens of Burdwan to suffer for that? There has been no case made out to show that the rate-payers ever deliberately elected bad men or they could not exercise their franchise or they did it wrongly. It is a fact that the previous generation exercised the franchise with credit to themselves and with advantage. Simply because once a particular ward or two or some voters here and there acted unwisely and by fluke one or two men or say a majority of them got in who ought not to have been there, that is no reason to disenfranchise the whole body of citizens. Government choose their officers very carefully, but it has been found that many Government officials holding positions of responsibility and trust have been found guilty and they have been dismissed from the service and committees have sat over them. But for that reason has it ever been suggested that the authority which employed them was to blame? It was only an error of judgment or a mistake which they could not anticipate or foresee. The same is the case with the people of Burdwan. Even if they chose representatives who were not deserving of their trust, they ought to have been given an opportunity to show whether they could reform.

As on the last occasion so on the present, I beg to say that it was the neglect of duty, if not the misconduct, of the Municipal Commissioners which induced the citizens of Burdwan to form and establish a Rate-payers' Association in the town, and it was started only on the eve of the supersession. They started that organization to watch over the conduct of the Municipal Commissioners and to guard the future elections which were then coming on. But the Rate-payers' Association or the authorities of that association were

Maulvi Abul Kasem.

not given an opportunity to show their work or to exercise their influence over the voters and rate-payers of Burdwan. The result is that we have now got a body of Municipal Commissioners entirely appointed by Government. It may be said that on consideration of the report of the gentlemen who sat as Commissioners to inquire into the affairs of the Burdwan Municipality it has been thought desirable to put it in the schedule, but what can those Commissioners say? They can only say that some of the Commissioners were guilty of gross misconduct. That may be so, but that does not show that the rate-payers or voters of Burdwan are not fit to exercise their franchise. By examining the records of the Municipal office it cannot possibly be said that the rate-payers are unfit. Besides that, though I think the rate-payers may have been a little neglectful in the past they are more active in the present day, and they ought to be given the right of choosing their own representatives. One of the reasons at least which was given to us by Mr. Birley, the Collector, was that they could not allow us to exercise the franchise because no list of voters was ready on the day on which it was to be handed over to the Commissioner. Of course, that was not the only reason, but that was one of the reasons. If the voters' list was not ready, was it the fault of the rate-payers or was it the fault of the Officer-in-charge of the Municipal office? It was ready in the case of the Hooghly-Chinsura Municipality. Why was it not ready for the Municipality of Burdwan? Even if the Government decided to put the Municipality in the First Schedule as they have done, at least the officers in charge of the Burdwan Municipality could not anticipate Government orders and they ought to have got the voters' list ready before the Government orders were passed putting the Burdwan Municipality in the First Schedule, but that was not done. Besides that, my Lord, there are Mr. Birley's recommendations about nomination which were made after consulting all available agencies in Burdwan. I gratefully acknowledge that so far as the Muhammadans of my town are concerned, we are in the best possible position to-day than we can ever be under the system of election. But at the same time, in spite of the fact that we are enjoying a very good position to-day and we have some of our best men on the Municipal Board, we feel the indignity suffered by my fellow-citizens and we resent the humiliation before other municipal towns of this Presidency which we suffer for no fault of ours. It is true that Mr. Birley consulted the Rate-payers' Association, the Peoples' Association and the Bar Association, and it was on the recommendation of these associations and public bodies that the present board has been formed. Naturally, if the rate-payers were given a chance of election it is 10 to 1 that a very large majority of these very men would be elected. Therefore, so far as the personnel is concerned there is very little difference between the elected and the nominated Board, so far as Mr. Birley's nominations go. But unless the name of the Burdwan Municipality is removed from the First Schedule, we anticipate that Mr. Birley will no longer be the Collector of Burdwan and the next Collector may have different ideas about nominations and may choose a lot of Municipal Commissioners who may not enjoy the confidence of the people. So far, therefore, as this particular Board is concerned, I have nothing to say about it. But I think it is due to the rate-payers of Burdwan that they should have the right of choosing their Municipal Commissioners and whether these very men are returned or not, the rate-payers ought to know that the Municipal Commissioners look upon them as their masters and task-masters and not that they should depend on the District Magistrate for their appointment or seat on the Municipal Board.

My Lord, a good deal has been said about the Burdwan Municipality and I know its faults and defects more than anybody else. But at the same time I submit that the charges brought against that municipality that the roads were bad, drains were not flushed, filtered water was wasted with impunity; but may I ask whether during the year in which the Government have

Maulvi Abul Kasem.

been in-charge, has there been any appreciable improvement in any of these things? The roads, I beg to submit my Lord—and I challenge contradiction—are worse than they were in the hands of the old Municipal Commissioners, and if in the days of the old Municipal Commissioners there were no arrangements for flushing the drains they were at least cleansed once a week, but during the period it was in charge of this new body it was never cleansed once in 12 months. Water used to be wasted with impunity indeed, but has there been any prevention beyond the fact that a heavy loan has been contracted with the object of putting up meters and to have a fresh engine for improving the water-supply, but this could be done by any public body—it neither requires wisdom nor much energy. In regard to the waste of water in public taps, the only measure that I noticed was taken by the officer in charge of the Municipality was that whenever a silly woman was found keeping the tap open the tap was removed altogether and the supply was stopped. This matter was brought to the notice of the Commissioner and under his orders that tap was replaced after three months. This happened at a place which was largely inhabited by bustee people. Therefore, I say that there has been absolutely no improvement at all.

As regards finances, my Lord, the accounts have been kept very efficiently so far as the papers go. But the first examination of the account books has compelled the Chairman of the new Municipality to write to the Examiner of Local Accounts to send a special auditor to go through and examine the papers and as the result of the first examination we find that there has been a misappropriation and defalcation, and we are going to consider the whole question again. So, my Lord, after all, the old Municipal Commissioners were bad enough but they were not much worse than those who have been put in charge of the Municipality by the Government.

Before I sit down, I beg to submit one special grievance of the citizens of Burdwan regarding assessment. On the last occasion in this Council it was stated that the assessment made by the Municipal Commissioners of Burdwan was not fair and equitable, that they taxed the poorer people more and let the rich off easily because the latter were men of influence who could influence the appeal benches and the assessing authorities. But to my horror I find that this inequality and inequitability of assessment has found greater expression during the time of the new assessment by the Government officials when the poorer people have been taxed much more and the richer people have been under-assessed. I brought to the notice of the Government official in charge several instances and he said that under the law he had no power to remedy them. I have been connected with Burdwan for some years and I have found in my experience that there has been an increase of Rs. 12,000 or Rs. 15,000 in the general assessment, but by the assessment made by Government officials we find that there has been an increase of Rs. 20,000 that is not much in a municipality whose income was previously Rs. 1,31,000.; Mr. Birley knew perfectly well that there was a general complaint all over the town regarding these assessments, and it is quite evident that under the new *régime* of the Municipal Commissioners the poorer people have been very much over-assessed than on previous occasions, and a smaller number of people have been under-assessed with the result that the municipal income has not materially improved. The question involved is not the good work of the municipality—I think that the present Municipal Board with its energetic Chairman who devotes his whole time to the municipal work and can afford to do so will do very good work—but the question is about the dignity and prestige and the power to be exercised by the rate-payers.

We feel ourselves humiliated before other municipalities and we protest against that humiliation. We want that the Municipal Commissioners should know that every tax-payer is their master and that they are responsible to

every tax-payer for their conduct. They should not sit on the Board with the idea that their nomination and appointment as Municipal Commissioners depend on the good will of the Government officials, at whose hands rests the appointment of Municipal Commissioners.

Above all, my Lord, it will not always be the good fortune of the citizens of Burdwan to have a sympathetic and liberal-minded Collector as Mr. Birley and the Hon'ble Member-in-charge who has got a special interest and a special advantage of knowing Burdwan and its people well.

With these observations, I commend this resolution for the acceptance of this Council."

[The Council was then adjourned for lunch.

The Council reassembled after lunch.]

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, like Mr. Dick and King Charles' head the Maulvi Sahib and the Burdwan Municipality have put in an appearance in the Council Chamber again to-day. Just about a year ago on the 26th of November last, the Hon'ble Mover of the present resolution recommended to the Governor in Council that the orders of supersession of the municipalities of Burdwan and Hooghly-Chinsura be reconsidered and withdrawn. Unfortunately, owing to illness, I was unable to be present on the occasion and for that reason the brunt of giving the reply and defending the Government's action had to be borne by Your Excellency. I find, however, from the proceedings that while the case of the Hooghly-Chinsura Municipality roused some considerable sympathy from the non-official members of this Council, the case of the Burdwan Municipality was espoused in a distinctly non-committal and half-hearted manner not only by those Hon'ble Members who supported the resolution, but by the Hon'ble Mover himself. In fact, to use Your Excellency's own words, the Maulvi Sahib in his speech on that occasion 'damned the municipality and the erring Commissioners with faint praise'. It is true that he urged extenuating circumstances and while admitting certain faults pleaded that the extreme measure of supersession was not called for. It was mainly, however, for the rate-payers—regarding whom he has spoken with some fervour again to-day—that he took up the cudgels stating that the new Ratepayers' Association had been formed to fight against the apathy and neglect of Municipal Commissioners and to better the administration of the municipality. He contended then, and he has contended to-day, that even if the Municipal Commissioners had been guilty of gross neglect and misconduct there was no justification for disenfranchising a whole body of rate-payers because of the folly or stupidity in electing these men. My Lord, to-day the Maulvi Sahib has really brought out nothing new to support the view which he expressed when he moved his resolution about a year ago, although, of course, he has complimented Mr. Birley, the late District Magistrate and Collector, on the selection made by him, but has tried his best to lay it thick on the Government as to the inability on their part to put things straight during the year that the Burdwan Municipality was under Government management, forgetting that when the Government took over the management it found it in perfect chaos, and that it was not possible for them to straighten out things during the short period that it was under Government administration.

I find from the proceedings that the Hon'ble Maulvi Fazlul Haq, who in supporting the resolution moved by the Hon'ble Maulvi Abul Kasem last year, supported it mainly on the ground that the decision arrived at, if

Maharajadhiraja Bahadur of Burdwan.

pursued to its logical length, meant the deathblow of the progress of self-government and development of self-governing institutions in general. The Maulvi Sahib moved his resolution and his main argument was the humiliation of the rate-payers and the taking away of the privilege which the townsmen of Burdwan have long enjoyed. Your Excellency speaking on the resolution made the following remarks :—

"Far from regarding our action as likely to discredit the capacity of the people for managing their own affairs, it seems to us that when we did find obvious and glaring cases of maladministration covering a long period of time, it would be to the advantage of the cause of self-government if we showed that we should not overlook matters of this kind."

Your Excellency also remarked in reference to certain statements made by the Hon'ble Mover of that resolution that you had never regarded Government's action as a punishment but rather as a service rendered by Government to the public. Now, my Lord, it is easy for the Hon'ble Mover of the present resolution to ask this Government to let bygones be bygones in view of the fact that the municipality has for over a year been administered by an official agency, and more particularly in view of the fact that the old *régime* or rather the small ring of self-seeking men who have made the administration of this town a scandal, have since, by the action of Government not only been relegated to private life, but also, I venture to think, in the opinion of all right-thinking men have been discredited by the facts which I shall presently disclose—I repeat that in view of these circumstances, it is easy for the Hon'ble Mover to urge Government to give the municipality a new trial and to show its faith in local self-government by trusting the electors of Burdwan once more. In reply to the earlier resolution, Mr. O'Malley had urged that there was no guarantee of a straight election being obtained while the influences which were corrupting the municipal administration remained unimpaired. At the same time Mr. O'Malley pointed out that the official agency which was then directing the affairs of the municipality could not reasonably be expected to clean up the Augean stable within the short space of time which they had up till then enjoyed and it is certainly borne out by the fact that from the report from which I shall give extracts, it has not been possible for the Government to straighten out things in the way that it might have been possible had the municipality been in Government administration for a longer period. It is easy to suggest that if Government claim that the official administration of the past year has been efficient as indeed I shall in the course of my speech assert in spite of the statement made by the Hon'ble Member, there should now be no objection to restoring to this unfortunate municipality its old constitutional privileges. My Lord, I propose to deal with these general considerations at a later stage in my speech. At the present moment I desire to take this opportunity of justifying Government's action in October 1918 by submitting for the information of this Council the deplorable facts which our later enquiry have brought to light. I am reluctant to rake up these memories, but I feel constrained to do so. Government, indeed, felt that having for many years past, and particularly since 1918, been compelled so frequently to condemn the maladministration of this municipality, we should have been glad to have allowed the whole matter to sink into oblivion, but the Hon'ble Member's resolution, although it does not expressly question Government's decision for superseding this municipality, from the remarks which have been made, clearly implies that Government has shown a want of discretion and a lack of sympathy with the cause of local self-government by continuing to withhold from Burdwan the full enjoyment of its ancient privileges. Now, it seems to me that it is very essential that we should set ourselves right in this matter in the eyes of the impartial critics, and after a careful deliberation I have come to the opinion that I shall be doing a

Maharajadhiraja Bahadur of Burdwan.

public service in setting out some of the facts upon which our present course of action is based, thereby, I hope, convincing this Council that Government would be acting unwisely at the present time in accepting the Hon'ble Member's resolution.

I shall begin, my Lord, by some brief quotations from Government resolutions reviewing the municipal administration in Bengal. It is not correct for the Maulvi Sahib to say that up to about a year ago the Burdwan Municipality was patted on the back for its good administration. The resolutions of 1901-02 stated that collections in Burdwan were unsatisfactory. In 1902-03 the Lieutenant-Governor stated that practically all the municipalities in the division showed improved results except that of Burdwan. Again in 1909-10, after referring to the state of the collections in this municipality, the Lieutenant-Governor in Council went on to remark that he trusted that no time would be lost in remedying this discreditable state of affairs which was remarked upon in the resolution for 1508-09 also. In 1910-11 after referring again to the discreditable collections, the resolution made the following remarks :—'Reviewing the municipal administration of the year as a whole, it appears that in the Burdwan Division the two worst managed towns are Burdwan and Midnapore.' In 1911-12, it was stated that 'Burdwan and Midnapore are again unfavourably mentioned by the Divisional Commissioner as the worst administered towns in the division.' In 1913-14 the resolution stated that the Burdwan Municipality, which, however, had passed through a period of serious strain owing to the Damodar floods, was the subject of unfavourable comment. The audit of its accounts has revealed a most unsatisfactory state of affairs. In 1914-15 it had an abnormal outstanding balance of Rs. 35,000 and again in 1915-16 we were told that 'of Burdwan it is reported, very little good can be said.' In 1916-17 the resolution states that the 'municipality is criticised by want of control over the municipal staff, inefficiency and waste of public money.' In 1917-18 affairs came to such a pass that the District Magistrate deputed a Deputy Magistrate to enquire into the affairs of this municipality. The enquiry was obstructed by the municipal executive. Papers were suppressed and the municipal engineer who made certain statements to the District Magistrate was dismissed at a subsequent meeting of the Commissioners on the ground that the municipality could not afford so expensive an officer, although the same question had been considered and decided in an opposite way within six months previously. The Deputy Magistrate's enquiry was necessarily incomplete, but the information disclosed such a shocking state of affairs that Government decided to supersede the Commissioners and to order a fresh and more formal investigation. It was considered that the enquiry required a knowledge of accounts and a capacity to weigh evidence, and that it should be conducted by a special committee consisting of an accounts officer deputed by the Accountant-General, Bengal, and an experienced Deputy Magistrate. Babu Hem Kumar Mallik, Deputy Magistrate and Babu Bhupendra Nath Chaudhuri, local auditor, were accordingly selected to hold the enquiry. They were instructed to investigate the various irregularities and malpractices that had occurred and so far as possible to ascertain who were responsible for them, and to advise whether any action should be taken against them. Their particular attention was directed towards the reduction and valuations, the remission of taxes, arrears of collection, municipal contracts for miscellaneous articles and especially the issue of licenses and non-disposal of petitions. The report of this Committee was received by the local Government in May last, and I think it advisable, especially when the Maulvi Sahib has asserted as he has done to-day that the Government had no justification for the steps they have taken, to refer briefly to certain abuses which it disclosed. The last election of this municipality took place in 1915-16 and the previous election in 1912-13. All the Commissioners excepting 5 out of 22 were re-elected.

Maharajadhiraja Bahadur of Burdwan.

The former Chairman and Vice-Chairman were also re-elected. The report states that a clique was formed of certain of the Commissioners which succeeded in shaping the policy of the Board. Some of them, we are told, took undue advantage of their position in the matter of assessments, house connections, licenses, etc., and otherwise crippled the resources of the municipality. It is said that they generally conducted the affairs of the municipality by mutually helping each other, and as the Maulvi Sahib is perfectly aware, as he comes like myself from Burdwan, that in the end the municipality became a sort of Mutual Admiration Society. The Committee had reason to believe that doubtful and unworthy means had been employed in securing votes. A rising pleader of Burdwan stated that when he sought for election he was asked by certain voters to present them with a harmonium for their theatrical party and to spend a considerable sum in improving a religious building. He refused to comply with those requests and retired from the election. It is stated that some of the Commissioners obtained privileges for themselves and favours for their friends. I need not mention their names because the Hon'ble Maulvi Sahib as well as myself know their names. The committee quote an instance of an unimportant lane in which a Commissioner lived being first converted into a jhama road and subsequently macadamised. Three shop-keepers were prosecuted for selling bad ghee. All three samples were declared by the Sanitary Officer to be adulterated, but the case against one of them who was the son of a Municipal Commissioner was dropped and the cases against two others were pressed. One Commissioner recommended that several of his relatives, who were in good circumstances, should be given reduction of their assessments. This application, however, was not disposed of before the supersession of the municipality. The assessment was revised and a quarterly increase of nearly Rs. 8,000 was obtained. Of this amount Rs. 6,500 was given up and in the opinion of the committee wrongly given up by the executive committee. Some of the Commissioners obtained reductions on the assessments of their own properties. These cases have been carefully examined by the committee who in almost all the cases held that the revised valuations were fair and that no reductions should have been made. It might be said that that was one of the reasons why Government took action, but I must mention on the other hand that assessment for every Government building was allowed to go up. As regards private houses, in some cases remissions were granted, although the holdings never fell vacant, and in others there was no proper system for obtaining information when vacancy ceased. The outstanding arrears on the 31st October 1917 were nearly Rs. 65,000, and most of this sum was arrears of long standing. The collecting sarkars are said to have been very apathetic and there was laxity of supervision. Warrants were not issued and if issued were allowed to accumulate and remain unexecuted and in numerous instances there was not good reason for the heavy arrears as shown by the fact that the current taxes in many of these cases were collected. The committee makes the inference—I cannot say of course whether it is justified or not—that the realization of old arrears was not pressed as it might have alienated votes. Perhaps the Maulvi Sahib may know better than the committee. All roads were in bad repairs and there seems to have been little supervision over the conservancy staff. The Maulvi Sahib says that the drains have not been flushed for the last 12 months, a fact entirely erroneous, though I may also remind him that Government occupation of the municipality was not for fully 12 months. Out of 3,025 feet sewers, 1,300 feet was at the time of the supersession unworkable owing to portions of sewers being broken and so blocked up. Conservancy carts were in a most unserviceable condition and the trenching ground, as the Hon'ble Member knows, was a perfect nuisance. The Committee found no proper method of checking expenditure on road repairs. The water-supply suffered

Maharajadhiraja Bahadur of Burdwan.

from the indiscriminate granting of new private connections against the advice of the Sanitary Engineer. The office registers were sadly neglected and petitions of complaint appear to have been thrown aside and disregarded. I think the Maulvi Sahib once came and told me himself that this was the case. The record-keepers' papers lay in a disorderly heap. Valuable stores were left in charge of a man on Rs. 11 a month who knew no English and could hardly write legible Bengali. His stores account was apparently never checked. The contract system for the supply of miscellaneous articles is said to have been a 'huge scandal' and the committee, while unable to state how much the municipality had been cheated of, are satisfied that fraud had been practised on an enormous scale. The system which the Chairman introduced was to allow the contractors 5 per cent. advance on the rates supplied by the Calcutta firms. Bills were supposed to be substantiated by sub-vouchers showing the price at which the contractors had purchased from the Calcutta firms. It appears, however, that the office merely checked the advance of 5 per cent. and made little attempt to check the sub-vouchers. The contractors had in some cases got blank forms of Calcutta tradesmen and, after filling them up and signing the name of the firm, supported their bills by these spurious sub-vouchers, while in other cases they altered the figures in genuine invoices submitted by Calcutta firms. The accountant and the two contractors have recently been prosecuted—the former was convicted but acquitted on appeal, the two latter have pleaded guilty and have been convicted. In one case a purchase was made from a Calcutta firm for Rs. 125 but the invoice, purporting to have been issued by this firm but repudiated by them in Court although actually written on one of their forms, showed that the purchase was made for Rs. 60. In another case the same thing was done in which the municipality was charged Rs. 699 odd, *i.e.*, 5 per cent. advanced on the alleged invoice price of Rs. 666-8, although the Calcutta firm had actually been paid only Rs. 432. Another printed sub-voucher in which the form was genuine but the entry fictitious was produced to support a claim of Rs. 378, although the articles had actually cost the contractor Rs. 184. I could cite many other instances of gross frauds. I suggest that the fact that such crude devices should have been successful argues either complicity or gross negligence on the part of the municipal executive and staff. It may be argued that an Honorary Vice-Chairman could urge extenuating circumstances if he failed to check the detailed accounts of his office. I do not admit that argument since it must be held that any person accepting the privileges of a public office must consent also to shoulder its responsibilities. Moreover, it is to be remembered that in the present case the irregularities had frequently been brought to the notice of the municipal executive. There was no excuse for the undue advantages which some of the Commissioners were allowed to take of their position. One Commissioner obtained a house-connection in 1915 without the payment of the usual fee of Rs. 125. The money was paid on the 2nd October 1918 —the date of supersession. The Vice-Chairman obtained a house-connection for which he paid the fee on the same day, *i.e.*, the 2nd October, the date of supersession. In both those cases the ferrules were larger than the house-connection rules allowed. Another Commissioner had not paid the fee till May last for a connection obtained in 1914.

My Lord, I have gone into these unedifying details at perhaps some unnecessary length, but I feel that it is my duty to convince this Council that the maladministration of this unfortunate municipality had attained to such scandalous heights that very drastic action was essential.

I have recently seen the Administration Report on the working of the Burdwan Municipality during the year 1918, which includes the period of six months during which the municipality remained under supersession. I find

Maharajadhiraja Bahadur of Burdwan.

that the total receipts for the year exceeded those of the previous years by Rs. 3,595 while the general revision of assessment carried out by an outside assessor has given an annual increase of Rs. 27,181 which is, however, liable to reduction on appeal. The financial position of the municipality has, therefore, improved and the District Magistrate thinks that its routine administration is better. It cannot, however, be expected that the huge arrears which have accumulated can be immediately realized or that the neglect of years can be remedied in a few months.

I should now, my Lord, like to deal with certain general considerations which the Hon'ble Member in moving his resolution has submitted to this Council. In the first place I would submit that it was impossible for Government, in view of the grave malpractices by which the municipality's administration has been characterised, to run the risk of having any of those particular Commissioners, who have been pilloried in the report which I have quoted, as Commissioners of the new Board. Under the law, moreover, it would have been necessary to hold elections prior to the supersession of the municipality, so that the new Board of elected Commissioners might be ready to take office as soon as the period of supersession ceased. But there was no time, as it happened, to prepare the preliminaries for an election when Government considered the arrangements to be made after the 2nd October 1919, while the Act does not permit the period fixed under section 65 to be extended. Government, therefore, decided that the municipality should be placed in Schedule I and the new body of Commissioners therefore nominated.

It might be suggested that as the interval, subsequent to the period of supersession, has now been tided over, it will be possible for Government to have preparations made for an election. The present Board of Commissioners could carry on while the preliminaries are being duly carried out. I submit, however, that it is impossible for Government to suggest to the gentlemen who have shown sufficient public spirit to take on, at the request of Government, the thankless task of putting this municipality straight, that they should within a few months of their appointment be dismissed with thanks in order to make room for an elective body. I am not sure that the Hon'ble Mover of this resolution has realized the invidious position in which he wishes to place Government.

We are grateful to those gentlemen, among whom the Hon'ble Maulvi Sahib is one, for having accepted what I have termed a somewhat thankless task and it would, therefore, to my mind be an ungracious act indeed on our part to give them an uncerenonious *congé* when we did not see—at least some do not—any further use for them. Moreover, whilst being a townsman of Burdwan myself, I do not in any way wish to run down the intelligence of the electors there; yet in view of what did happen and may easily happen again, knowing as I do Burdwan, I doubt if the public can altogether rely on these electors to select the best representatives. The past history of the municipality certainly does not tend to give us confidence in this behalf. The Hon'ble Mover is probably aware, as he himself has said it, that Mr. Birley took the utmost pains to consult public opinion in sending up his nominations. He consulted the leading associations and received a deputation representing the trade interests of the town. His nominees in practically all the cases are included in the lists of suitable persons which were handed in by the bodies concerned. Of course, I recognise that a nominated Board, however well selected and however representative it may be is still not the same thing as an elected Board to a town which has so long enjoyed the privilege of election. I also recognise that by placing this municipality under Schedule I, Government are compelled to cast, so to speak, a slur and an indignity upon the citizens of Burdwan which many of them will naturally resent. But, nevertheless, in view of the facts which I think it is my duty

to lay before the Council, although it is not the intention of Government to keep this municipality indefinitely in Schedule I, on which head the Hon'ble Maulvi Sahib seems to have some apprehension, I think that Government must refuse to bind themselves by any promise to restore it at a given date. I can only say that Government will anxiously watch its progress under the new *régime*, and will, at the earliest practical moment, only readily restore to the rate-payers their old privilege. I also think that the public should have an opportunity of judging as to whether in making selections to the present Board, Government have really not done them a good turn; for we have included in the new Board not only some of the best men available but mainly or largely persons recommended by the different public bodies in Burdwan who were consulted by the District Magistrate, and who, I have every reason to believe, as the Hon'ble Maulvi Sahib himself knows, are satisfied with the selections made.

For these reasons, my Lord, I recommend to this Council that the resolution be thrown out."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, with reference to this resolution, I occupy a very unfortunate position. When I moved this resolution I said that I felt that it was an indignity and an undeserved indignity thrown on the people of Burdwan; but the question of the honour, the dignity and the interests of the citizens of Burdwan is of great concern also to the Hon'ble Member in charge—and in fact of far greater concern to him than to an individual like myself—and if I am in a rather unfortunate position of moving this resolution it is simply because the Hon'ble Member-in-charge is now a Member of the Government and does not sit on the non-official side.

My Lord, I did not enter into the details regarding the order of supersession, nor did I at all mean to question the justice or the reasons for that order which is now an old story. But the Hon'ble Member-in-charge has taken the trouble to read some extracts from the report of the Commission that sat. I admit, and admit fully, that all these instances which he has read out are no doubt deplorable instances, and that it is a disgrace to my fellow-citizens and fellow-countrymen in Burdwan. But, at the same time, I submit my Lord, that the report is still incomplete and many other instances have been left out. I know of many other instances, and I offered myself to Babu Hem Kumar Mallik to give my evidence, but I was told that I would be called later on and the inquiry was finished without taking my evidence. I know also that this was the case with several other gentlemen whose evidence was not taken.

My Lord, the Hon'ble Member-in-charge has referred to some leagues or cliques that were formed to put a particular body in power. So far as the last executive of the municipality were concerned, the question how they were elected is known to the Hon'ble Member-in-charge as well as to myself But so far as the Chairman and Vice-Chairman were concerned, they were elected not through any cliques but through untoward circumstances

Instances have been given that house-connections have been surreptitiously taken. But I can remind the Hon'ble Member that there are instances in which separate connections have been taken in entire violation of rules. I know of instances in which a gentleman, who exercised his influence as a Municipal Commissioner, has got his holdings—not one or two, but several—miserably under-assessed, and under the fresh assessments, they have been again under-assessed. These holdings are inhabited by public officials who pay a known rent and in spite of this fact, they have been miserably under-assessed. Still these gentlemen have been

appointed Commissioners by Your Excellency's Government. This thing has happened always and I do not grudge it, because Mr. Birley in making his recommendations consulted various public bodies and associations and accepted their recommendations. So I do not grudge their being on the Municipal Board; and I admit that these mistakes occur, whether the Municipal Commissioners are elected by the rate-payers or are appointed by the Government.

As I began by saying that, speaking as a Mussalman, which community I represent in this Council, and I repeat what I said before, we are deeply grateful to Mr. Birley and to the Hon'ble Member-in-charge as we have been placed in a very fortunate and favourable position on the new Board. But what I say is, I said it before and I say it again, that it is the question of the disenfranchisement of the whole town without justification that we do not like and we ask that the slur should not be allowed to continue any longer. If the name of Burdwan is not removed from the First Schedule now, I do not know whether we shall occupy the same position on the next occasion when the opportunity arises. The Hon'ble Member says that we should give the new Board a trial and watch its progress. I naturally expect, my Lord, that after a year or two when the report will be favourable, as this Board has fortunately got a very energetic young man as its Chairman who can devote, and can well afford to devote, his whole time to the work of the municipality and who does the work of the municipality with a devotion worthy of the dignity of a town like Burdwan, it will turn out very good work; that fact will be a justification for Government allowing the name of the Burdwan Municipality to stand in the First Schedule. The Government will naturally say—'Here is a Board appointed by Government and it is working very well. It should, therefore, be allowed to work on.' That is my apprehension, my Lord. The Hon'ble Member has said that we have got a Board which is working very satisfactorily; but I can tell him that he does not live in Burdwan and does not know that we had to meet with great difficulties and had to get up conspiracies in getting this very gentleman elected as the Chairman of the Municipal Board, outside the Municipal office in the open camping ground, and that it was after a good deal of struggle that we managed to get him elected as Chairman. Otherwise, the nominee of the gentlemen who are responsible for our late misfortune and disgrace would have managed to get himself elected as Chairman. It was on account—and I claim some credit for it—of the bold stand made by the Muhammadan Commissioners that we managed to get this energetic young man elected as Chairman.

The Hon'ble Member had said that corruptions were attempted at the general election of the rate-payers. I know, my Lord, that this gentleman has done us a favour by accepting the Chairmanship of the Board and that attempts were made to corrupt the Municipal Commissioners to vote for a particular gentleman as Chairman. Of course, that attempt was frustrated.

The Hon'ble Member has referred to the fact that a certain theatrical party asked for a harmonium. I know of the instance and I was present at the time when the request was made. But it is well known that such things happen, and on the particular occasion the candidate, whose cause I was espousing, sternly refused to come to terms with these people. In all countries where elections are held bioscope-shows and grants in aid to charitable objects are given, as these go to help towards the election. These things are not peculiar to Burdwan itself. But I claim it to the credit of the citizens that the candidate sternly refused to comply with the request that was made. We must, however, take into consideration by whom the request was made; it was made by a band of vagabond young men who employ most of their time in theatrical music and do no work.

Maulvi Abul Kasem.

I might cite another instance in which a religious shrine was offered to be rebuilt by a candidate for municipal election ; he offered to rebuild a Muhammadan shrine or tombstone and to surround it by a wall and to pay for it ; but it must be said to the credit of the rate-payers of that particular ward that they refused the offer, although as a matter of fact they were raising subscriptions for the object. Of course, I know of another instance in which corruption was employed and some people were bribed to vote. I confess that such things did happen and do happen even now, and it was for the prevention of these corrupt practices that we started the Ratepayers' Association. Admitting that we did commit a mistake and that we have been guilty of corruption, it is the duty of the parental Government to educate the people to exercise their rights and not to disenfranchise them as was done on the last occasion. At the time of the last election, as the Hon'ble Member has stated, in 1916, we brought to the notice of Mr. Marr, who was then the Collector of Burdwan, a specific instance of bribery, and the result was that Mr. Marr wrote in so many words that under the Bengal Municipal Act corruption was no offence, that it did not invalidate an election, and that he could not therefore interfere. I took the written statement of Mr. Marr to Mr. K. C. De, who was then Secretary to the Municipal Department and it was then placed before the Hon'ble Nawab Sir Syed Shams-ul Huda, who promised to take up the matter at the time of the next amendment of the Bengal Municipal Act. I beg to ask the Hon'ble Member whether these people, who were guilty of attempting to corrupt and were guilty of corruption, have all been eliminated from the present Board. He has referred to my personal knowledge and I respectfully take his word. He knows as well as I do that the present Board has not been cleared of these people, and I therefore claim that no Board can be perfect. I submit that this Board is quite as good or as bad as the previous one, with the exception of Muhammadans who are in the best position. What we feel, my Lord, is that the stigma and slur cast on the people of Burdwan should not continue.

The Hon'ble Member has referred to the cliques and combinations which were made to put somebody on the Board and to have a sort of Mutual Admiration Society. I would like to know from the Hon'ble Member whether the elected members only of the last Board which was superseded were a party to these cliques and combinations, and whether the present nominated members were not as good a party as the elected members themselves In fact, one of these parties or cliques is now represented by a member who was nominated by the Government. It was in the Raj Palace itself that the whole exposure took place in the presence of the Hon'ble Member himself. There is another point with reference to these gentlemen that we cannot afford to do without them ; they are men of influence and unfortunately they exercise their influence in their own interests and in those of their relatives, and although I move for the withdrawal of the order of supersession, I submitted then and I repeat it now that they did exercise their influence then and do exercise it even now, whether outsiders are appointed as assessors or whether they are appointed by the municipality.

It has been remarked that the Municipal Engineer was dismissed because he complained to the District Magistrate. I submit that although I have not been a Municipal Commissioner for about 6 or 7 years prior to the supersession, I have taken some interest in municipal affairs—I did find that the Municipal Commissioners were not going straight. I in consultation with some of my friends started the Rate-payers' Association. I may submit also that for some time past the question of the staff maintained by the municipality has been engaging our attention. We have found that the staff employed are somewhat expensive and the question was whether so many men should be employed by the Municipal Board.

Babu Kishori Mohan Chaudhuri.

The fact is that the old Municipal Board appointed many men whom they liked and it was due to the Mutual Admiration Society, because the Municipal Commissioners always wanted their protéges to be appointed. Therefore, we wanted to sit on judgment on them, and the Municipal Engineer was one of the officers whose services at least, I still maintain, the municipality does not require. Burdwan is not a town like Calcutta or Dacca or Howrah that it requires a skilled engineer : an ordinary Upper Subordinate Class man, who can put the roads in order, can manage its work. Whenever there is a big scheme, *e.g.*, of an overhead water tank, the municipality generally indents for a man from the Sanitary Engineer and it has to pay for him. What is the good, therefore, of keeping a highly-paid engineer? I may submit that the engineer did make some statement to Mr. Birley ; but the engineer was himself a member of the party at that time. I admit, my Lord, that, at the present moment, we, the Mussalmans of Burdwan, find ourselves in an absolute majority on the Municipal Board and are therefore in a very good position to-day.

With these observations, and after what has fallen from the Hon'ble the Maharajadhiraja Bahadur, I do not think that it will serve any useful purpose, in a house like this, to press this Resolution ; and I therefore beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble Babu Kishori Mohan Chaudhuri moved the following resolution :—

This Council recommends to the Governor in Council—

(*a*) that immediate steps be taken to improve the professorial staff of the Rajshahi College, specially in English, Philosophy and Physics, and that the College be affiliated in the Economics Honours Course and the Botany Pass Course ; and

(*b*) that early arrangements be made for providing gradually post-graduate studies in Chemistry, Physics, English, Mathematics, Philosophy, History, Sanskrit and Persian and for reopening the B. L. Classes in the said College.

He said :—

"My Lord, I do not think that I need detain the Hon'ble Members for long on account of this resolution because for some time past I have been dealing in this Council with the Rajshahi College, and I hope I have thereby and by my last Budget speech specially already made it sufficiently clear that the Rajshahi College, though it does not suffer in any way in comparison with the Dacca College in so far as the number of students, percentage of success, etc., are concerned, yet it suffers very much in comparison with the Dacca College in point of professorial staff and other educational facilities, and, for the matter of that, in point of Government expenditure per head of student. The fee rate of the Rajshahi College was Rs. 4 some time ago and it was raised to Rs. 6, and the reason then given by the Government was that it was done with a view to uniformity. But, my Lord, it is certainly a matter of great regret that the uniformity was sought for only with regard to the tuition fee, and, not to speak of any corresponding uniformity in the matter of educational facilities and other advantages, the little that was good in the Rajshahi

Babu Kishori Mohan Chaudhuri.

College is being gradually taken away. I have been complaining of this for long; but, my Lord, I must say that I have been unheeded. The Rajshahi College had for its Professors in English, Philosophy, Physics and Sanskrit some of the best men in the University, and now for some time past in all these subjects the professorial staff is far beneath that standard which even prevailed there only a few years ago. I also tried in my capacity as Secretary to the Rajshahi Association to impress upon the departmental authorities, but all my efforts could not be of any real use. And therefore as a last resort I have brought this matter by way of appeal to the Hon'ble Members and to Your Excellency specially. Your Excellency is going to visit Rajshahi very soon. Your Excellency will, I hope and trust, be able to see personally the present condition of the Rajshahi College and its special requirements in the light of the few facts I have already placed and am now placing for Your Excellency's consideration. Of course, the Rajshahi College has grown to its present status under absolutely Indian management, and it is very creditable to those very able officers who have helped in its development. I say this as I do not wish to be misunderstood. What I complain of at the present moment is not so much against those gentlemen who are now engaged in teaching in the Rajshahi College as against the policy of engaging Subordinate Educational Service men on tuition work in the college classes, especially in the B.A. classes. What I want for the Rajshahi College is that the tuition work should be entirely managed with Provincial Educational Service men under the guidance of an experienced professor of proved ability on higher pay for each subject, and the Principal and at least one senior professor should be persons promoted to the Indian Educational Service which will be an incentive to meritorious work among the professors. I beg humbly to suggest further in this connection that whenever there is to be a transfer or vacancy caused by retirement or any other event, the vacancy should be filled up by an equally efficient man, and to my mind, in case of transfer of an efficient professor, the problem of an equally efficient successor should be first considered, and until one is available the transfer ought not to take place. I may cite here the case of the transfer from the Rajshahi College of Babu Hem Chandra De, Senior Professor of Philosophy. He was transferred, so far as we can judge, without any arrangement being previously made for an equally efficient man to go in his place. The result was that the Philosophy class suffered much. Without any reflections upon anybody, I may safely submit that the arrangement now made is very unsatisfactory. Out of the three Professors for Philosophy and Logic two are Subordinate Educational Service men and the third has just been promoted to the Provincial from the Subordinate Educational Service. Before this, Babus Hem Chandra De, Krishna Chandra Bhattacharyya and Ambika Charan Mitra were in the post of the senior professor of Philosophy—they are, without doubt, distinguished professors of ability of a very high order. So far as English is concerned, I need only say that the result in that subject in recent University examinations has been extremely unsatisfactory. In my support I cannot do better than to quote from the report about the Rajshahi College by the Hon'ble Sir Deba Prasad Sarbadhikari and Mr. Jnan Chandra Ghosh, dated the 22nd January 1919, and from that by Mr. J. N. Das Gupta and Mr. Jnan Chandra Ghosh, dated the 17th September 1917. In recommending an additional teacher for English Sir Deba Prasad and Mr. Ghosh say that 'in making the appointment care should be taken to strengthen the quality of the staff,' and Messrs. Das Gupta and Ghosh in their report of 1917 remarked that 'the failure in English in 1917 has been very heavy. Out of 171 students sent for the I. A. Examination 101 failed in English, 50 failing in this subject only. Out of 127 students sent up for the B. A. Examination 64 failed in English, 27 failing in this subject only.' I may add that though the teaching of English is admittedly defective in the Rajshahi College still the present tutorial staff for English consists of three officers of the Subordinate Educational Service

Babu Kishori Mohan Chaudhuri.

and two only of the Provincial Educational Service. Then, as regards mathematics, when Babu Rajmohan Sen retired the Rajshahi Association approached the Government and got an assurance that 'an endeavour will be made to send a fairly senior professor in his place.' But at last one had to be promoted to the Provincial Educational Service, so far as I remember, for being sent to the Rajshahi College. I must, however, make it clear that I am not making any reflection upon the ability of the new gentleman. I am informed that he is an able man and I am glad that he has been promoted to the Provincial Educational Service. But what we wanted was that a senior professor should have been either appointed or transferred to be at the head of the tutorial staff in Mathematics. Another complaint is that no research scholarship is provided for in the Rajshahi College. Dr. Neogi, the officiating Principal, is himself a man of great reputation in the field of chemical researches, but he has got no assistant to help him in that work. To sum up this part of my address—what I submit is that now that the Dacca College is being converted into a University, the Rajshahi College is undoubtedly taking the first place among the mufassal colleges and in that view it is but fair that it should be maintained in that high level of efficiency which is consistent with the position it already occupies. I must frankly confess that of late there has been a serious apprehension in the minds of the Rajshahi public that if the present state of things in the Rajshahi College continues, it will in no time lose much of the development it has made during the last twenty years. We do not see any reason why the interests of the Rajshahi College should be sacrificed or overlooked in the interests of any other institution. Only three or four years back the Rajshahi College was cheap for the students and its professorial staff was of a superior order, but now that the tuition fee has been increased by 50 per cent. the tutorial staff has been materially brought down, and the only result of the increment of the tuition fee is, I am sorry to say, that the Government grant has been diminished by nearly twenty thousand rupees.

It will not be quite out of place, if in this connection I draw the attention of the authorities to the very sympathetic suggestions of the Hon'ble Sir Deba Prasad and Mr. Ghosh in their report about the Rajshahi College referred to above. I might be permitted to quote a few lines: 'To speak of only a few of the many present needs. The Principal and the Professors have no quarters, the hostels are defective and inadequate, the Chemistry laboratory is not up-to-date, the class rooms are insufficient and there is no library worth the name, nor a much-needed covered gymnasium. The students during their intervals have to rest under the trees, healthy and pleasant when the weather is favourable, but absolutely the reverse in other circumstances.'

On a previous occasion I referred to the desirability of the Professor of Economics of the Rajshahi College to be in the Provincial Educational Service. The College has been affiliated in Economics for the last seven or eight years, and it is high time that a further development should be made by also providing for the study of that subject in the Honours course.

In my resolution I have asked for the affiliation of the College in the Botany pass course. At present there is no arrangement for study in that branch in the Rajshahi College, though there was such an arrangement some years back under the old regulations. North Bengal is pre-eminently an agricultural tract, and in order that the study of scientific agriculture, which is so much needed in that part of the country, especially for the benefit of the Muhammadans who form the majority in the division, may develop, the affiliation of the College in Botany is urgently necessary.

Then, my Lord, as regards the second part of my resolution, I may be permitted to inform Your Excellency and the Hon'ble Members that the question was raised a long time ago and there was much correspondence and

Babu Kishori Mohan Chaudhuri.

discussion about the proposal between the Rajshahi Association, the Governing Body of the College and the Director of Public Instruction. The Director referred the matter to the Governing Body of the College with certain proposals by his letter No. T-437, dated the 28th October, 1916, and the matter was considered by the Governing Body, who approved of the proposal of opening of M.A. and B.L. classes in their meeting held on the 24th December, 1916, and reported to that effect to the Director of Public Instruction in their letter No. 1014—32, dated the 25th January, 1917. At the time the only difficulty that was felt was the question of funds for the recurring expenditure. But there was an offer of Rs. 50,000 from Rani Hemanta Kumari Debi of Puthia and another offer by the Raja Bahadur of Dighapatia and his brother Kumar Basanta Kumar Ray through the Rajshahi Association, for the construction of a building estimated at about Rs. 50,000. The Rajshahi Association also undertook to provide additional buildings for the purpose and the question of funds for the recurring expenditure has also now been solved by the raising of the College fees from Rs. 4 to Rs. 6 a month which has given an increment of nearly Rs. 16,000. Now there are arrangements for M.A. and B.L. classes in the mufassal in the Dacca College which is going to be converted into a University. So the necessity for providing for such study in the mufassal will soon arise. At Rajshahi there were M.A. and B.L. classes before ; the new arrangement under the University Commission report is likely to take time. In the meantime I hope the Rajshahi College will be granted the boon for which the public is so eager and ready to contribute materially Government, I think, will not have to spend much on this score. A big hostel for the accommodation of students is going to be built, I understand, next year, at a cost of nearly three lakhs including the grant of Rs. 50,000 provided in this year's budget. Hired houses now occupied by the students may, if necessary, be utilised for any additional accommodation necessary for the M.A. and B.L. students. The University Commission also suggests that the Rajshahi College is a fit one to be maintained as a University College to be developed hereafter into a University. In that view also my proposal can be safely given effect to. I appeal to Your Excellency to take the matter into your serious consideration and make the Rajshahi College a self-contained one, and I hope that the Government will accept my proposal

In this connection I beg to quote from a letter of the Director of Public Instruction to the Governing Body of the Rajshahi College, dated the 28th October, 1916. The letter says :—

'My personal view with reference to the development of the Rajshahi College is that at the present moment instead of embarking on any new schemes the College should concentrate its attention wholly on the improvement of the work which it is already attempting. The existing accommodation for the students is very defective ; and I should have thought that any money which the Rajshahi Association or any other body or persons may be willing to contribute could with greater advantage have been devoted to the removal of this defect.

At the same time I appreciate the anxiety of the people of Rajshahi to create additional educational facilities at the Rajshahi College, and I am prepared to consider favourably any scheme for the opening of M. A. and B. L. classes at the Rajshahi College provided—

(*i*) that arrangements both as regards accommodation and instruction of the classes can be made to the satisfaction of the University of Calcutta and the Government of India with whom the final decision as regards the affiliation of the College up to the M. A. and B. L. standards will rest;

(*ii*) that no additional cost is imposed on Government as a result of the opening of the classes and of their maintenance for a period of five years from the date of opening; and

(*iii*) that adequate guarantee will be furnished that the funds which it will be necessary for the opening and maintenance of the classes for five years will be forthcoming

I have to explain that any extension of the affiliation of the Rajshahi College for which the Department of Education may be willing to approach the Calcutta University cannot take effect before the beginning of the session 1918-19.'

That was in 1916. And although the Rajshahi Association undertook to provide for the accommodation of the building nothing could be done in view of the expected report of the Universities Commission, although the Director of Public Instruction in his letter, dated the 29th March, 1917, addressed to the Governing Body of the Rajshahi College appreciated the public spirit of the Rajshahi people. The letter says:—'I appreciate very greatly the generous contributions with which the public of Rajshahi have come forward, and I fully sympathise with their anxiety to create further facilities for higher education in Rajshahi.' The report is out now, but I believe some time will elapse before effect can be given to it. Meantime I think it is time that something should be done towards opening the B. L. classes in Rajshahi."

The Hon'ble Mr. Hornell said :—

"My Lord, the burden of the Hon'ble Member's song seems to be that Government are grossly neglecting the interests of the Rajshahi College and that he has been repeatedly urging the Educational Department to do something; over this he has taken about half an hour of the Council's time. All I can say is that since I returned to this province in September last, I have had the pleasure of meeting the Hon'ble Member, but he never mentioned all these grievances to me. I venture to suggest that if he had done so and discussed the matter with me I could have spared the Council a good deal of my reply.

The first part of the Resolution suggests that immediate steps should be taken to improve the professorial staff of the College, especially in English, Philosophy and Physics, and then proceeds to suggest that the affiliation which the College now enjoys should be extended so as to include the Economics Honours course and the Botany Pass course. As regards the existing staff, there are two professors of English and three lecturers. The senior professor is a 1st class M.A. who in his day stood second in the University. His pay at present is Rs. 400 a month in class IV of the Provincial Educational Service. The second professor is a 2nd class M. A. in English whose present pay is Rs. 200 a month in class VIII of the Provincial Educational Service. The three lecturers are all 2nd class M. A.'s in English and the pay of each is at present Rs. 125 in class IV of the Subordinate Educational Service. Government has recently agreed to increase the staff by the addition of a professorship in the Provincial Educational Service. The staff in Philosophy consists of a professor in class VIII of the Provincial Educational Service and two lecturers, one in class I of the Subordinate Educational Service and the other in class IV of the Subordinate Educational Service. The professor is a senior officer of considerable experience who has recently been promoted from a lecturership in the Dacca College. The senior lecturer who is a senior officer in class I of the Subordinate Educational Service is now on leave and is studying in England. A Muhammadan gentleman was appointed to act in his place, but he has recently been transferred to a permanent post at Dacca. It has not yet been

possible to fill up the temporary vacancy. The second lecturer is an officer in class IV of the Subordinate Educational Service. The Senior Professor of Physics was, until recently, Rai Kumudini Kanta Banarji Bahadur who combined this work and the work of Principal. The Rai Bahadur is now on deputation with the Calcutta University as an Inspector of Colleges. In his place an experienced officer from the Sibpur College has been appointed to act. There are two Professors of Physics and the holder of the second professorship is a 1st class M. A. who stood first in this University. Thus, before the Rai Bahadur left, the two professors of Physics in the College were the top men of their respective years. There are two Demonstrators in Physics, one in class III and the other in class IV of the Subordinate Educational Service.

Turning to other departments of the staff, which the resolution does not mention, we have asked Government for a temporary additional lecturer in Arabic and Persian and an additional Demonstrator in Chemistry. The Governing Body of the College have not submitted any formal proposals regarding the affiliation of the College either in Economics Honours or in Botany. Certain representations have been received from the Secretary of the Rajshahi Association and these have been sent to the Principal of the College for consideration.

As regards the second part of the Resolution, I am not quite sure what the Hon'ble Member means by making early arrangements for providing gradually post-graduate studies in certain subjects. The proposal for starting post-graduate classes as also B. L. classes was carefully considered by Government in 1917, and it was then decided that no steps could be taken until the recommendations of the University Commission had been considered. The report of the Commission is now before the public and this Government are still awaiting the orders thereon from the Government of India. The Commission have advised a complete reorganisation of University education throughout the Presidency, and until a decision has been arrived at with reference to their recommendations, it is impossible for the local Government to commit themselves to any undertakings with regard to the future of the College."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I have very little to say as regards the first part of my hon'ble friend's resolution, nor have I much to say as regards the second part in which he asks for facilities for post-graduate studies in Chemistry, Physics, etc. I will only speak on that part of the resolution in which he says that early arrangements should be made for re-opening the B. L. classes in the Rajshahi College. No reason has been given why, with the present plethora of law graduates in the country, there should be an additional machinery for manufacturing such graduates in Northern Bengal. I believe that there are at present 10,000 law graduates practising in the different Courts in Bengal, and in one subdivision of Rajshahi I believe there are about 130 practising B. L. pleaders. And I think in the town of Rampur Boalia there are not one hundred but several hundred law graduates practising as pleaders."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"No, in Rampur Boalia the number is 70 only.

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"I accept my hon'ble friend's statement. But I suppose that no one has complained about the paucity of the number of pleaders there. I believe the law graduates themselves realize now that life, after getting the law

Babu Kishori Mohan Chaudhuri.

degree, is rather dreary, and to multiply the number of lawyers in this country is not a thing which is desirable. There is the University Law College and if the authorities abolish all the law colleges and classes in the country, the country would not be the worse for it. Mr. Hornell has not naturally looked into this side of the question, and the Government letter which has been quoted does not refer to that view of the question. But, my Lord, if you are able during your time to get all the law colleges and classes abolished in Bengal it would be a great thing. If there are no law graduates within the next ten years the country would be the better for it. I think that after six years in college a man has to serve his apprenticeship with a pleader, which takes about two years more, and then unless he is very industrious and exceptionally intelligent, he earns hardly any money but gains more wisdom. They take to questionable ways, and I think that if their number is increased and there is more competition, it would not improve the conduct which is required of every member of the bar. I am sorry to have to make this observation as I myself had the honour of belonging to the Bar. Instead of increasing the number of lawyers it is my firm conviction that the law classes should be abolished. There are about 3,000 students studying law at present and over and above this we do not want another class to be opened in Rajshahi for these law students. Therefore I am not in favour of opening the B. L. classes at Rajshahi."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am sorry that I am accused by my friend the Hon'ble Mr. Hornell of wasting half an hour's time of this Council by moving this resolution. Of course, I am glad that he has come back to take charge of his department after his labours in the University Commission, and I am also glad to learn that he is quite willing to discuss the matter with me and that if anything can be done it will be done.

As I have said at the outset, it is not for a vote in this Council that I have brought forward this resolution, but simply to bring to the notice of the educational authorities the defects not only pointed out by me but also by the Hon'ble Sir Deva Prasad Sarbadhikari in his inspection note in January last. I still maintain that the arrangement for the teaching of Philosophy is very defective, about which nothing has been said, and that unless some arrangements are made for its improvement, I do not know what will be the fate of those reading that subject at Rajshahi. I do not say that Government are not sympathetic and that they are neglecting their duty, but what I beg to submit is that it sometimes happens that proper notice is not taken, though, I think, it is for the purpose of finding out these defects in Government colleges that Inspectors have been appointed and inspection is made by the educational authorities. I pointed out these defects and tried for their improvement on several occasions, but to no effect, and so, my Lord, I have at last thought it advisable to bring forward this resolution at a time when after a few days Your Excellency will be visiting there and will be able to obtain first-hand information from the local authorities.

I need only say a few words about the B. L. class for which I have been mercilessly attacked by my Hon'ble friend, Rai Debender Chunder Ghose Bahadur. I do not know why it should be compulsory that all persons from the mufassal should come to Calcutta or go to Dacca for the study of law. Dacca is going to be a separate University and what will be the arrangements there we do not know. I am informed that there are 3,000 pupils in the University and in the Ripon Law Colleges. If in Calcutta it is necessary that law study should be made and any number should be taught, I do not see why it should be discouraged in the mufassal. My Hon'ble friend, who was a distinguished

Babu Kishori Mohan Chaudhuri.

member of this profession, has now retired after his long and prolific practice: his son has now got a Judgeship in the Calcutta High Court. Of course he can now discourage the law study, but the country at large cannot do so. What will the rising generation do? Of late, we have been trying to make other avenues of life open to the rising generation, but we are not in sight of any other at present. Even the arrangement for the study of Medicine is very limited. My Hon'ble friend forgets that the pleadership classes are going to be abolished and that consequently B. L.s are to practise in the Munsifs' courts, and in fact many B. L.s nowadays practise in the Munsifs' as well as in the criminal courts. I think he has been misinformed that at Rajshahi there are over 200 pleaders. As a matter of fact, there are not more than 70. I do not know from where he got his information. My idea is that if the B. L.s can be encouraged to practise in the Criminal Courts the atmosphere in these Courts may be improved to a certain extent. My friend thinks that the law study should be abolished altogether. I do not know why, and even if that be so, the University are the proper authorities which should be moved to that effect. Even in the University Commission's Report it is not suggested anywhere that the law study should altogether be discontinued or discouraged in this country. It seems to me that the legal profession is still now at least one in which the rising generation can make out a living. If one can honestly work in the criminal or in the Munsif's Court he can earn Rs. 100 a month, whereas if one gets an appointment in the Education Department one will not be given more than Rs. 35 a month. Whatever that may be, this is not the proper place for discussing whether law study should be abolished altogether or discouraged. What I beg to submit is that if the Dacca College is raised to the standard of a University, the Rajshahi College will be the only college which will be second to the Presidency College and that is one of the reasons why it should be maintained on the same lines as Dacca. I may inform my Hon'ble friend that law study is also necessary for the success of the M.A. class. At Rajshahi, whatever my friend may think, the Governing Body is presided over by the District Magistrate who is a European gentleman, and recently an M.A. of Great Britain also thought it necessary and recommended that M.A. and B.L. classes should be opened there; but at that time, pending the consideration of the University Commission's Report, and for want of funds, nothing was done. Now that the report is out, I trust that the proposal whether further facilities should be given to Rajshahi will receive the serious consideration of Your Excellency's Government as well as the educational authorities. Whatever my Hon'ble friend, Rai Debender Chunder Ghose Bahadur, may think, the people of Rajshahi are so very keen on the subject that they are willing to contribute so large a sum as Rs. 1½ lakhs towards the development of M.A. and B.L. study. The subject of improving the status of the Rajshahi College and that of improving the arrangements for the study of the several subjects now taught are urgent affairs and require early consideration. I think no time should be lost in considering the proposal for opening M.A. and B.L. classes because hereafter we may lose the benefit of so large an offer as Rs. 1½ lakhs.

It is needless to consider now whether the college should be established at Rajshahi or Rangpur. The Rajshahi College was raised to the status of B.A. classes in the year 1878, and it has grown to be an institution second in importance to the Presidency College and equal in importance to the Dacca College with about 800 students, 400 in the B.A. and 400 in the I.A. classes and therefore I submit that instead of checkmating it it ought to be further developed.

I may be permitted to withdraw the resolution in the hope that the matter will engage Your Excellency's consideration when Your Excellency will shortly visit the place."

The resolution was then, by leave of the President, withdrawn.

Babu Kishori Mohan Chaudhuri; Rai Mahendra Chandra Mitra Bahadur.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble Babu Kishori Mohan Chaudhuri moved the following resolution :—

This Council recommends to the Governor in Council that a conference of the Principals of all colleges in Bengal, Government as well as private, be invited to meet under the presidency of the Hon'ble the Member in charge of Education, to consider the recommendations of the Calcutta University Commission and to submit their report to Government.

He said :—

"My Lord it will, I hope, not be necessary for me to inflict any long speech in order to impress upon Hon'ble Members the necessity of the proposal embodied in my resolution. Hon'ble Members are all aware of the many diverse and far-reaching recommendations of the Calcutta University Commission which are no doubt calculated to serve the best interests of the country in the matter of educational development in all its branches. Before the report of that august body is considered by the Government of India and action taken by them, I think the Government of Bengal will submit a report upon the recommendations of the Commission. My humble suggestion is that before the Government of Bengal consider the recommendations and submit their report thereupon there should be a conference of the experienced educationists who are in charge of the existing educational institutions and who are principally and immediately concerned with these recommendations. Individually they will be able to submit their views no doubt, but there is a special advantage—which I don't think I need point out—of discussing the questions involved in a conference where by mutual exchange of views and open discussions a unanimity of views upon the recommendations of those vitally interested in the same may be secured. The real difficulty to my mind will be how to give effect to the weighty recommendations of the Commission which will practically revolutionise the whole educational system involving very heavy expenditure, both capital and recurring. If the system proposed by the Commission and decided upon by the Government is to be given effect to by degrees, then the question how to do it can best be solved by those experienced educationists who are now conducting the existing system. I might add that the excuse of my bringing forward this resolution is that I not only consider it desirable, but to my mind such a conference is absolutely indispensable.

With these few words I commend this resolution to the acceptance of the Government and the Council."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, it is very difficult to follow the reasons of the hon'ble gentleman who moved the resolution. He suggests that a conference of the Principals of all the colleges in Bengal under the presidency of the Hon'ble Member in charge be formed. Now, my Lord, what is the object of the conference? Is it to sit in judgment over the recommendations of the University Commission, or is the object to carry out the recommendations of the Commission? All these recommendations are now before the Government of India. They are to be formulated into several sections and the Act will be passed. If a report be submitted by all the Principals of colleges under the presidency of the Hon'ble Member in charge, that report will be of no avail. The whole question of the recommendations of the Commission will be discussed at a proper place, at a proper time, and before the proper authorities. I find that the Rajshahi College has been mentioned as the best college and that there is considerable intellectual activity in that

quarter. The Commission says that so far as the Krishnagar and the Hooghly colleges are concerned, they are of an inferior kind, and I gather inferentially that the B.A. standard in these colleges may not be recommended. These are matters, Sir, which are agitating the minds of the people. The recommendations of the Commission are the subject-matter of consideration by the people throughout Bengal, and criticisms are offered on the recommendations of the Commission, because the public think that they have a right to do that. Surely, before the recommendations come into force, the opinion of the public will be considered. If the proposed conference of Principals of all colleges is held and the public are not associated at the conference, what will be the result? I therefore think that this resolution which has been moved by my learned friend is out of place. If he considers that the conference will do some good, I have not the least objection. But all the recommendations of the Commission are now before the Government of India and the whole subject will be discussed in the Imperial Council and non-official views will be taken into consideration by the Government of India. My Hon'ble friend suggests that no non-official element is to be taken in the conference; and I am really surprised to hear that: but if anybody is to object to the recommendations of the Commission it is the non-official people, and I do not think they should be excluded.

My Lord, without wasting further Your Excellency's time, I beg to oppose this resolution".

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I will say only a few words. I do not quite see the necessity of the proposed conference. I imagine that all the Principals of the colleges were examined by the Members of the University Commission, and I understand that most of the Principals of colleges, whether in Calcutta or in the mufassal, are members of the Calcutta University Senate. I think, Dr. P. Neogi, the present officiating Principal of the Rajshahi College, is not a Fellow of the University Senate. The permanent Principal is always made a Fellow, but the officiating man has to wait probably till he becomes permanent. His predecessor in office, Rai Kumudini Kanta Banarji Bahadur, was or is still a member of the Senate. The Senate will meet and discuss the recommendations of the University Commission. There the Principals of almost all the colleges, whether in Calcutta or outside Calcutta, will have the opportunity of saying their say and of criticising the proposals of the members of the University Commission. That being so, I do not see why there should be a separate conference; and I oppose this resolution."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I do not think I need take up the time of the Council at any length. The Hon'ble Mover of this resolution has already had the views of two of his non-official colleagues who have opposed the resolution, and I think on good grounds. Although on behalf of Government I am unable to accept the resolution, I may say that I am in entire sympathy with the Hon'ble Mover in so far as he desires that at some stage or other there should be a frank exchange of views between Government and the leading educationists in Bengal regarding the recommendations of the Calcutta University Commission. To some extent, therefore, I am in agreement with the Hon'ble Mover, but I would now go on to say why I cannot accept the resolution. In the first place, the Report of the Calcutta University Commission, except that portion of it which deals with the Dacca University, is still under consideration by the Government of India. The issues relating, for example, to the reconstruction of the Calcutta University are numerous and intricate; and it is very necessary and proper that the Local Government

should have the opportunity of the fullest exchange of views with the Government of India before the Local Government indicate their views on certain definite and vital issues to the public. In the second place, I cannot conceive that a round-table conference on the report generally can lead to much practical result. The subject is too vast, its extent too wide, the essential issues are too numerous; and we do not want another Commission. But the Hon'ble Mover's conference which is intended, I presume, to sit from day to day will be perilously like another commission. Again I think that the Hon'ble Mover has failed to realise the far-reaching consequences which the Commission's proposals involve in suggesting that his conference should consist merely of a few professional educationists. If there is to be a conference and obviously we have got to consult public men before long representing other interests also, in fact all those who are concerned in the reorganization of education will have to be consulted. The Hon'ble Rai Debender Chunder Ghose Bahadur has mentioned the Calcutta University. Surely, the Calcutta University has a right to be heard, if Government decide that the main issues of the problem should be discussed at a conference convened by Government. My Lord, I am unable to speak with any more definiteness without obtaining the views of the Government of India on this point, but I may state that we fully recognise that if the recommendations of the Commission are to be substantially accepted and translated into action, we must have on our side the willing co-operation of all those who have considered the educational problems of Bengal, and we believe that some kind of conference at a later stage might be held but more catholic in the section of opinion which would be represented because that will help Government and at the same time satisfy the public that these important questions will not be decided hurriedly or without the most careful consideration. For these reasons I cannot accept the resolution nor can I at present agree to bind Government to convene any such conference as the Hon'ble Mover suggests. But I may say that we may reasonably expect that at a later stage we shall have a conference for the discussion of certain vital issues by persons interested therein, quite apart from the debate that is likely to take place in the Imperial Council on the Dacca University Bill or the Calcutta University Bill. Such a conference might be helpful, but at the present moment I am not prepared on behalf of Government to accept the proposal of the Hon'ble Mover."

The Hon'ble Babu Kishori Mohan Chaudhuri said:—

"My Lord, I was labouring under a misapprehension. My idea was that before the matter is taken up by the Government of India the opinions of the Calcutta University and the Bengal Government would be taken, but as I now see the matter will be first considered by the Government of India and then we shall have to hold some sort of a conference. As the Senate was asked separately to report, I thought that we should have a conference here just now. I am satisfied to hear that some sort of conference will be held at a later stage and therefore I wish to withdraw the resolution."

The motion was then, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned to the 18th December 1919 at 11 A.M. at Government House, Calcutta.

J. F. GRAHAM,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.

CALCUTTA:
The 1st December, 1919.

B. S. Press—11-12-1919—3183J—350—C. W. M.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House Calcutta, on Thursday, the 18th December, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. H. L. STEPHENSON, C.S.I., C.I.E.

The Hon'ble MAJOR-GENERAL W. H. B. ROBINSON, C.B., I.M.S.

The Hon'ble MR. F. J MONAHAN.

The Hon'ble MR. L. S. S. O'MALLEY C.I.E

The Hon'ble MR. G. N. ROY.

The Hon'ble MR. A. MARR.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. W. HORNELL. C.I.E.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble MR. S. W. GOODE.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. R. M. WATSON SMYTH.

The Hon'ble MR. W. H. PHELPS

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

IST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

The Hon'ble Mr. Stephenson, the Hon'ble Major-General Robinson, the Hon'ble Mr. Monahan, the Hon'ble Mr. Marr, and the Hon'ble Mr. Goode made an oath of their allegiance to the Crown

LIST OF BUSINESS—ITEM No. 2.

STARRED QUESTIONS.

The following questions which had been starred were put and answered :—

By the Hon'ble Mr. W. H. H. Arden-Wood:—

***1.**

Relief for married members of the superior services.

(*a*) Are the Government aware that many junior married members of the superior services, who are stationed in Calcutta, are finding the utmost difficulty in meeting the largely enhanced cost of living?

(*b*) Are the Government aware that it is becoming almost impossible for junior officers to rent even part of a house?

(*c*) Are the Government aware that this is chiefly due to the recent great inflation of house rents in Calcutta?

(*d*) Is it a fact that the Calcutta house allowance paid to married members of the superior services in Calcutta is reduced from Rs. 175 to Rs. 90 for seven months out of the twelve?

(*e*) Is it a fact that house rents during this period remain constant?

(*f*) Is it true that when an officer's wife is absent from Calcutta for more than two months this allowance ceases?

(*g*) Are the Government aware of the fact that an officer's expenses are largely increased when his wife is away, as he is obliged to maintain two establishments?

(*h*) If the answers to clauses (*d*) to (*g*) are in the affirmative, will the Government be pleased to state whether they are considering the desirability of amending the house-allowance rules with a view to making them more equitable?

(*i*) Will the Government be pleased to say whether they are considering the desirability of taking up the question of giving relief, by means of special allowances, or otherwise, at a very early date to the junior married officers?

Answer by the Hon'ble Mr. Marr:—

" (*a*) Yes.

(*b*) It is certainly becoming increasingly difficult for them to do so.

(*c*) Yes.

(*d*) Yes. The scale for Calcutta house allowance is as follows:—

CALCUTTA.

Rate of salary.	Between the 1st April and 31st October.	Between the 1st November and 31st March.
	Rs.	Rs.
Under Rs. 300	40	50
Rs. 300—499	65	100
Rs. 500—999	90	175
Rs. 1,000—1,499 ... } Rs. 1,500—1,999 ... }	60	175
Rs. 2,000—2,500 ...	Nil.	150

(*e*) It presumably depends on the terms on which a house is leased.

(*f*) Yes.

(*g*) It is difficult to give a general answer as circumstances may vary greatly.

(*h*) A reference regarding the practice referred to in (*f*) and recommending a modification of it was made to the Government of India some time ago Inquiry will be made when orders may be expected.

(*i*) The matter is receiving consideration, but it is beset with difficulties ''

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***11.**

Appointment of an inhabitant of the Rajshahi district to the Judicial Service.

(*a*) Will the Government be pleased to state whether it is a fact that during the last thirty years no inhabitant of the Rajshahi district has been appointed to the Provincial Judicial Service?

(*b*) Is it a fact that the Government rules for the appointment of officers in the Provincial Judicial Service provide that the name of an enrolled candidate is to be removed from the list in the event of his failing to obtain an appointment before he attains the age of 29?

(*c*) Are the Government aware that the name of Babu Kritanta Nath Maitra was removed from the list of enrolled candidates before he attained the age of 29?

(*d*) Are the Government aware that Babu Kritanta Nath Maitra passed both the B.L. and M.Sc. examinations in the first division, and that he was the only candidate with this qualification among the list of candidates laid on the table in reply to question No. 22 (unstarred) of the 3rd April, 1919?

(*e*) If the answer to clause (*a*) of the question be in the affirmative, will the Government be pleased to say whether they are prepared to reconsider the application of Babu Kritanta Nath Maitra, who is still below the age of 29?

Answer by the Hon'ble Mr. Roy:—

'' (*a*) Government have no information in the matter. The Hon'ble Member may obtain the information from the High Court.

(*b*) Yes.

(*c*) Yes.

(*d*) Yes.

(*e*) Does not arise.''

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***111.**

Impr of se educ

"(*a*) Will the Government be pleased to state whether the scheme for improving secondary education has been sanctioned?

(*b*) If so, will the Government be pleased to state the reason for the delay in giving effect to it?

(*c*) Is it the intention of Government to give retrospective effect to the scheme from 1st April, 1918?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) The answer is in the affirmative.

(*b*) No unnecessary delay has occurred. Government are anxious to give effect to the scheme as soon as possible. The necessary preliminary details are now being worked out by the Director of Public Instruction

(*c*) The answer is in the negative The Hon'ble Member is referred to the answer to question 13."

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

1.

Mini office the ! Colle

(*a*) Will the Government be pleased to state the number of appointments held by ministerial officers under the Magistrate-Collector of Dacca in the upper and lower divisions, grade by grade?

(*b*) Will the Government be pleased to state the number of Muhammadans in each grade?

(*c*) Will the Government be pleased to state the number of paid probationers employed in the offices under the Magistrate-Collector of Dacca from the 1st April, 1912, to the 31st October, 1919, showing the appointments made in each year separately?

(*d*) How many of these probationers were Muhammadans?

(*e*) How many of these probationers were given permanent appointments and how many of these latter were Muhammadans?

(*f*) Is it a fact that four Muhammadan probationers have been removed from the office of the Magistrate-Collector of Dacca in order to make room for four Hindus who were junior to the Muhammadan probationers?

(*g*) If the facts are not as suggested in clause (*f*) of the question, will the Government be pleased to state the facts giving the reason for the removal of the four Muhammadan probationers?

(*h*) Will the Government be pleased to state the principle according to which appointments are given to paid probationers?

(*i*) Is it not a fact that the Government of India has definitely ruled in their letter No. 127, dated the 27th January, 1905, that a probationer who has qualified himself for a permanent post should not be turned out of service merely because he has failed to secure an appointment within a limited period?

(*j*) Will the Government be pleased to lay on the table an extract from the letter dealing with the principle which has to be followed in giving permanent appointments to paid probationers?

Answer by the Hon'ble Mr. McAlpin:—

" (*a*) and (*b*) A statement is laid on the table.

Statement showing the number of ministerial appointments under the Magistrate and Collector of Dacca in the upper and lower divisions, grade by grade, and the number of Muhammadans in each grade.

Grade.	Number of appointments.		Total.
	Hindus.	Muhammadans.	
On pay of—			
Rs. 175—10—225	1	...	1
,, 150	1	...	1
,, 125	1	...	1
,, 100	4	...	4
,, 80	5	...	5
,, 70	3	...	3
,, 50	9	...	9
,, 45	10	1	11
,, 40	23	3	26
,, 35	28	7	35
,, 30	21	18	42
Total ...	109	29	138

(*c*), (*d*) and (*e*) A statement is laid on the table.

Statement.

Year.	New appointments.		Remarks.
	Hindus	Muhammadans.	
1912-13* ...	.....	1 (permanent) ...	* Sanctioned strength of probationers (12).
1913-14* ...	3 (all made permanent).	4 (3 permanent and 1 left).	
1914-15* ...	5 (3 permanent, 1 dead and 1 removed).	7 (3 made permanent, 1 resigned and 3 removed).	
1915-16* ...	2 (1 permanent, 1 removed).	7 (1 made permanent, 1 dead, 3 resigned and 2 removed).	
1916-17† ...	2 (1 resigned, 1 discharged).	2 (1 resigned, 1 permanent).	† Sanctioned strength of probationers (13).
1917-18† ...	3 (all sub. *pro tem.*) ...	6 (1 sub. *pro tem.*, 2 resigned, 1 removed and 2 working as probationers).	
1918-19† ...	4 (1 removed, 3 working as probationers).	3 (1 resigned, 2 working as probationers).	
1919-20† ...	4 (all working as probationers).	1 (working as probationer).	

(*f*) No.

(*g*) In order to fill up certain vacancies in the permanent establishment an examination was held among the probationers, as a result of which four Muhammadan probationers were not considered fit to hold a permanent

appointment in the district office. They were therefore removed. Four Hindus were taken on the recommendation of the Chairman, Bengal Employment and Labour Board, as having rendered satisfactory war service. Three of them were appointed as paid probationers and one, who is an undergraduate, was given a sub. *pro tempore* appointment.

(*h*) The Hon'ble Member is referred to rules 53, 57, 58, 62 and 65, Chapter IV of the Board's Miscellaneous Rules, 1918.

(*i*) and (*j*) No. On the contrary, the Government of India said: 'The probationary system, if properly worked, affords, in the opinion of the Government of India, the best method of recruitment, provided that the period of probation is limited ordinarily to two years: and it should be a rule that if, on completing two years' service, a probationer is not definitely accepted as qualified for promotion, he should quit the service of Government, being replaced by another probationer so as to extend the field of selection'."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

2. Will the Government be pleased to lay on the table a tabular statement showing the total number of applicants who have been refused admission last year and again this year into each of the various classes of the different Colleges in the Presidency of Bengal?

Adm stu the Coll Ben

Answer by the Hon'ble Mr. O'Malley:—

"A statement furnishing the required information, as far as available, is laid on the table."

nt referred to in the answer by the Hon'ble Mr. O'Malley *to question No. 2 (a rred) asked by the* Hon'ble Rai Mahendra Chandra Mitra Bahadur *at the Coun ting of the 18th December 1919, showing the number of applicants who were refu nission during the years 1918 and 1919 into the different classes of the Colleges gal.*

Name of the College	1918				1919.				Remarks
	1st year.	2nd year	3rd year	4th year	1st year	2nd year	3rd year.	4th year.	
2	3	4	5	6	7	8	9	10	11
ane College, Calcutta ...	8	...	...	...	5	...	3	...	Girls' College
agong College	172	...	...	...	197	25	57	16	
a College, Dacca ...	58	...	36	...	156	...	122	...	
hly College, Chinsurah ...	...	...	...	...	54	...	20	2	
nagar College, Krishnagar	1	6	3	...	18	...	14	1	
dency College, Calcutta ...	299	...	211	...	300	5	321	7	
ahi College, Rajshahi ...	18	9	6	1	67	7	80	6	
rit College, Calcutta ...	...	...	...	...	...	...	...	...	
da Mohan College, Mymen-gh. (*a*)	...	...	...	...	...	...	...	...	(*a*) No records of t number of students fused admission maintained by t College.
Mohan College, Barisal (*b*)	...	...	...	...	...	...	...	...	(*b*) Ditto.
tpur Hindu Academy, Khulna	15	2	1	...	50	5	45	5	
san College, Calcutta ...	...	...	...	...	4	...	...	...	Girls' College.
rd College, Pabna ...	8	5	This is a second grade College.		5	1	This is a second grade College.		
nath College, Dacca (*c*) ...	...	...	...	...	90°	9°	50°	8°	(*c*) No records are avai able for 1918. °Approximate.

Serial No.	Name of the College.	1918.				1919				Remarks
		1st year	2nd year.	3rd year.	4th year.	1st year.	2nd year.	3rd year.	4th year.	
1	2	3	4	5	6	7	8	9	10	11
15	Midnapore College, Midnapore ...	2	1	This is a second grade College.		...	2	...	...	
16	Scottish Churches College, Calcutta	216	...	240	...	246	8	263	30	
17	Serampore College, Serampore (*d*)	...	...	...	...	...	...	...	...	(*d*) No records a tained.
18	St. Paul's Cathedral College, Calcutta. (*e*)	...	...	...	...	...	3	...	...	(*e*) Ditto.
19	St. Xavier's College (*f*) ...	...	...	...	...	374	22	60	10	(*f*) No records f are available
20	Victoria College, Comilla ...	112	20	9	...	184	19	36	17	
21	Victoria College, Narail ...	...	...	This is a second grade College.		...	...	...	...	
22	Wesleyan College, Bankura (*g*) ...	...	...	...	...	50	10	...	1	(*g*) No records a able for 1918.
23	Bagerhat College, Khulna ...	...	...	This is a second grade College.		126	4	...	...	
24	Bangabasi College, Calcutta ...	...	...	...	...	200°	200°	200°	50°	° Approximate.
25	Burdwan Raj College ...	...	...	This is a second grade College.		...	...	...	...	
26	Carmichael College, Rangpur (*b*)	...	...	...	...	...	...	...	...	(*b*) No records a tained.
27	Central College, Calcutta (*d*) ...	...	...	...	...	...	...	...	...	(*d*) Ditto.
28	City College, Calcutta ...	140	54	50	47	150	20	80	25	
29	Krishna Chandra College, Hetampur.	...	...	This is a second grade College.		...	...	...	...	
30	Krishnath College, Berhampore ...	34	14	16	2	115	20	50	19	
31	Loretto House, Calcutta ...	...	...	This is a second grade College		...	...	...	...	Girls' College.
32	Rajendra College, Faridpur ...	...	...	Ditto		...	4	...	...	
33	Ripon College, Calcutta ...	63	44	38	30	71	...	89	37	
34	South Suburban College, Calcutta	...	...	...	...	...	...	...	...	
35	Uttarpara College (*f*) ...	...	...	This is a second grade College.		25	...	...	...	(*f*) No records are available.
36	Vidyasagar College, Calcutta (*g*)	...	...	...	...	...	...	...	...	(*g*) No records a tained.
37	Medical College, Calcutta (*h*) ...	745	..	...	...	802	...	...	...	(*h*) Students are ted only into year class.
38	Carmichael Medical College (*i*) ...	504	...	...	...	803	...	...	...	(*i*) Ditto.
39	Veterinary College (*j*) ...	23	...	...	..	56	...	...	...	(*j*) Ditto.
40	Civil Engineering College, Sibpur (*k*).—									(*k*) Ditto.
	(*a*) Engineering class ...	32	...	...	...	65	...	...	...	
	(*b*) Upper Subordinate class	2	...	...	...	7	...	...	...	
	(*c*) Mechanical and Electrical and Mining classes.	100	...	...	...	59	...	...	...	

By the Hon'ble Babu Bhabendra Chandra Ray:—

3.

Educational grants made under the Syedpur Trust Estate.

(*a*) Will the Government be pleased to state the history of the grants made from the Syedpur Trust Estate to the various educational institutions, and how they have been utilised since their inception?

(*b*) Is it a fact that the entire grant of the Syedpur Trust Estate to the Daulatpur H. E. School is at present being spent for the benefit of the Muhammadan students alone, whether tenants of the estate or not?

(*c*) When, and under what circumstances, was this innovation made and by whom and under what authority?

(*d*) Has the attention of Government been drawn to the following remark made by Mr. Monahan, as Commissioner of the Presidency Division, in the visitors' book of the Daulatpur H. E. School on the 26th February, 1915:—

> "I do not quite understand why the benefit of the grant which is made to this school from the management and improvement allotment of the Syedpur Trust Estate, should be restricted to Muhammadans. It seems to me that the poor and deserving non-Muhammadan tenants of the estate may have a claim on it."

(*e*) What action, if any, has been taken on the above remark?

(*f*) Is it a fact that a dismissed police servant, named Rahimuddin Shaikh, was appointed a teacher of the Daulatpur H. E. School some time back, in preference to qualified Muhammadan candidates of the locality?

(*g*) Are the Government aware of a feeling that exists that this gentleman has been trying to create a tension of feeling between Hindu and Muhammadan students since his appointment?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) The estate has been under the management of the Board of Revenue for nearly a century, and it would involve an undue amount of labour to trace the history of the grants made from its funds to various educational institutions.

(*b*) and (*c*) The Board of Revenue directed in 1913 that the grants made from the funds of the estate to primary schools should be brought up to 1 per cent. of the rental, which should be allotted to schools established for the benefit of tenants of the estate, irrespective of religion, while grants to secondary schools, such as the Daulatpur High School, which were to be limited to 1 per cent. of the rental, were to be given for the benefit of Muhammadan students only.

(*d*) and (*e*) It is understood that at the time when Mr. Monahan recorded the remarks in question he had not the previous papers of the case and the orders of the Board of Revenue before him. No action was taken on his remarks.

(*f*) and (*g*) Government have no information on the subject."

By the Hon'ble Mr. H. R. A. Irwin:—

4. Will the Government be pleased to state what steps, if any, have been taken to give effect to the resolution passed by this Council at its meeting on February 19th, 1918, and reaffirmed at the meeting on February 19th, 1919, on the subject of education in hygiene and sanitation in schools and colleges throughout the province?

Educ hygie sanit schoo colleg throu the p

Answer by the Hon'ble Mr. O'Malley:—

"(*1*) Suitable text-books have been recommended for supplementary use in the 3rd and 4th classes of high schools and in the training colleges. In the middle and upper primary stages as well as in normal, *guru*-training

and *muallim*-training schools, certain text-books have also been recommended for the use of pupils as a compulsory subject (in Government and aided schools). In the lower primary stage the instruction is oral. A copy of the list of text-books is laid on the table.

(*2*) Arrangements have been made for the delivery of a course of lectures on hygiene in the training colleges and schools at Calcutta and Dacca, in the Dow Hill training class for Europeans at Kurseong, and at the Bethune College and collegiate school, Calcutta.

(*3*) Provision has been made for the teaching of the subject in certain *guru*-training schools by the Health Officers or sanitary inspectors employed in municipalities or district boards.

(*4*) Lanterns, screens and slides have been purchased for use in connection with lectures on hygiene.

(*5*) The suggestion that hygiene should be included as an optional subject for the matriculation examination was forwarded to the University. On their application, the Government of India have sanctioned the prescription of hygiene as an additional subject for the matriculation examination.

(*6*) An application has been made to the Government of India for the appointment of a whole-time Physical Adviser and a Deputy Sanitary Commissioner for school hygiene. Necessary provision for these posts, as well as for the measures mentioned above, has been made in the current year's budget."

List referred to in the reply to Unstarred Question No. 4 asked at the meeting on 18th December, 1919.

List of text books on Hygiene approved for use in all Government and recognised schools, both English and Vernacular, in the Presidency of Bengal, for the year 1919.

A. Text books for supplementary use in—

(*i*) classes III and IV of high schools in the Presidency and Burdwan Divisions, and in

(*ii*) classes VII and VIII of high schools in the Dacca, Rajshahi and Chittagong Divisions.

Any one of the following:—

				Rs.	A.
1. Science of Health	... H. H. Pratt	... (Oxford University Press, Bombay.)	...		
2. A Health Reader for Indian High Schools	P. C. Wren	... (Macmillan & Co.)	...	1	0
3. Physiology and Hygiene for Standard IV (Teachers' Hand Book).	J. R. Williamson	... (Longmans, Green & Co.)	...		
4. Manual of Hygiene (Revised edition).	Dr C. Banks	... (Macmillan & Co.)	...	1	8

N.B.—These books may be used with profit also in the Training Colleges

B. Text books for use in—

(*i*) standards V and VI of middle schools in the Presidency and Burdwan Divisions,

(*ii*) classes V and VI of high schools in the Presidency and Burdwan Divisions.

(*iii*) classes VI and VII of vernacular schools in the Dacca, Rajshahi and Chittagong Divisions,

(*iv*) classes V and VI of high and middle English schools in the Dacca, Rajshahi and Chittagong Divisions.

(*v*) classes V and VI of junior madrasahs in Bengal, and in

(*vi*) First grade training schools and normal schools in Bengal.

Any one of the following :—

				As.
1.	Bengali Text Book on Hygiene and Domestic Economy.	Drs C Banks and Hari dhan Dutt.	(Macmillan & Co.) ...	5
2.	Garhasthya Swasthya Nitı, Part III.	Lt P. Choudhury, M.B., I.M.S.	(B C Basak, Albert Library, Dacca)	5
3.	Swasthya Tattwa, Part II ...	Rai Harinath Ghosh Bahadur, M.D.	(Author) ...	9

N.B —These books are also intended for the corresponding classes of girls' schools in Bengal

C. Text books for use in—

(*i*) standard IV of middle and upper primary schools in the Presidency and Burdwan Divisions,

(*ii*) class VII-A of high schools in the Presidency and Burdwan Divisions,

(*iii*) class V of vernacular schools in the Dacca, Rajshahi and Chittagong Divisions,

(*iv*) class IV of high and middle English schools in the Dacca, Rajshahi and Chittagong Divisions, and in

(*v*) *guru* and *maulim* training schools in Bengal.

Any one of the following :—

				As.	P
1.	Village Sanitation (Palli grame Swasthyaraksha). Revised edition.	Dr Kamakhya Charan Banerjee	(Asoke Chandra Banerjee)	3	0
2	Swasthya Bijnan ...	Jahar Lal Das, L.M.S., and Sarat Chandra Brahmachari, M.A., B.L	(Brojendra Mohan Datta, Students' Library, Calcutta)	5	0
3	Garhasthya Swasthya Nitı, Part II	Lt P Choudhury, M.B. I.M.S.	(B C Basak, Albert Library, Dacca)	3	6
4.	Swasthyer Katha (for boys)	Girish Chandra Basu ...	(Ghosh & Co., Calcutta)...	3	0
5	Swasthya Tattwa, Part I ...	Rai Harinath Ghosh Bahadur, M.D.	(Author)	5	0
6.	Bengali Text Book on Hygiene and Domestic Economy.	Drs. C. Banks and Haridhan Dutt	(Macmillan & Co.) ...	2	6
7	Swasthya O Grihasthahr Katha (for girls).	Girish Chandra Basu ...	(Ghosh & Co., Calcutta) ..	1	0
8.	Easy Lessons in Hygiene, Standards III and IV.	Rai Dinanath Sanyal Bahadur, B.A., M.B.	(S C Samel & Co.) ...	4	0

N.B —These books are also intended for the corresponding classes of girls' schools in Bengal

D. In lower primary schools and in the corresponding classes of high, middle and upper primary schools in this Presidency, lessons on Hygiene should be entirely oral. These lessons should take the form of talks on the following or similar topics :—

(*a*) The necessity for personal cleanliness.

(*b*) The necessity for keeping rooms clean.

(*c*) The necessity for pure water, fresh air, sunlight and ventilation the danger of shutting up sleeping rooms.

(*d*) The danger of insanitary and dirty habits, such as spitting.

(*e*) The necessity of exercise.

(*f*) Some information as to how simple complaints—wounds, snake-bites, burns, &c.,—should be treated; how a drowning person should be handled, &c.

The teaching must proceed not merely by precept but by example. The first essential then is that the teacher himself should be a man of healthy and clean habits; the second that the school should be well ventilated and scrupulously clean; the teacher should also insist that every child who comes to school must be clean and tidy.

W. C. WORDSWORTH,

Offg. Director of Public Instruction, Bengal.

CALCUTTA,

The 14th November 1918.

By the Hon'ble Mr. H. R. A. Irwin:—

5.

Reorganization of the Victoria and Dow Hill Schools.

(*a*) Will the Government be pleased to state what steps have been taken to give effect to the promise of the acting Director of Public Instruction given at the meeting of this Council in July last with regard to the reorganization generally of the Victoria and Dow Hill Schools?

(*b*) What sum is sanctioned *per diem per capita* for the feeding only of the pupils of the Victoria and Dow Hill Schools, respectively?

(*c*) Is any other item in addition to actual food chargeable against this sum?

(*d*) Has this scale been submitted to, and approved by, the medical authorities as being sufficient to provide adequate nourishment for growing children?

(*e*) If not, are the Government considering the desirability of obtaining the opinion of the medical authorities on this point?

(*f*) Has any increase in pay and emoluments for the staffs of the two schools been sanctioned and given effect to?

(*g*) If so, has such increase been proportionate in each school alike?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) Proposals for the reorganisation of the two schools are under the consideration of Government.

(*b*) The rate of the capitation boarding allowance for the boys of the Victoria School is Rs. 20-4 a month. This includes Rs. 18 for food and Rs. 2-4 for laundry, oil, wood, etc. The amount sanctioned *per diem per capita* for feeding only amounts therefore to 9 annas 7 pies.

The rate for the girls of the Dow Hill School is Rs. 18 a month, but the allotment for them is pooled with that of the students of the training class attached to the school, for whom an allowance of Rs. 45 each a month is sanctioned. The exact amount set apart *per diem per capita* for feeding the girls cannot, therefore, be stated definitely.

(*c*) The answer to (*b*) covers this question.

(*d*) The above scale was fixed in 1913 in consultation with the Sanitary Commissioner.

(*e*) The question of increasing the existing rates in view of the increase in prices is now under the consideration of Government and due consideration will be given to the recommendations of the Sanitary Commissioner.

(*f*) Pending the reorganisation of the schools certain members of the staffs of both the schools have received increments in their allowances as a temporary measure, with effect from 1st July, 1919.

(*g*) The increments have been sanctioned according to sliding scales, from Rs. 30 to Rs. 50, which are different for male and female teachers. There is this further difference also that female teachers drawing above Rs. 200 have not been granted additional allowances, whereas male teachers at the Victoria School drawing above Rs. 200 have been granted increments."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

(*a*) Is it a fact that there was a Middle English School at Mathurapur in Maldah of about thirty years' standing? Clos Mid Sch

(*b*) Is it a fact that the school was of great benefit to the children of the tenants of Mr. G. Hennessey? Mat

(*c*) When, and at whose instance, and under what circumstances, was the school closed?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) Yes. The school still exists, although its recognition was temporarily withdrawn.

(*b*) Yes, the school was and still is of great benefit to the children of the local people who are the tenants of Mr G. Hennessey

(*c*) The recognition of the school was withdrawn from the 21st October, 1916, to the 30th September, 1917, under the orders of the Inspector of Schools, Rajshahi Division, owing to serious irregularities in the internal management."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

In connection with the reply given by Sir George Barnes to question No. 12 asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi at the meeting of the Imperial Legislative Council held on the 24th September, 1919, regarding the appointment of Indians to the Customs Preventive Service, Calcutta, will the Government be pleased to say App Indi Calc Prev Serv

(*i*) whether any applications for appointment in that service have been received from Indians, and

(*ii*) how these applications have been disposed of?

Answer by the Hon'ble Mr. Marr:—

"(*i*) Yes. The Collector of Customs, Calcutta, received during the last two months applications from three or four Indians for posts in the Preventive Service.

(*ii*) The Collector of Customs or the Superintendent, Preventive Service, interviewed all the applicants, but found that, while they generally possessed better educational qualifications than are needed for a Preventive Officer's work, none of them satisfied the conditions under which recruits for such service are selected. These conditions are that candidates must—

(*1*) be under the age of 25.

(*2*) be unmarried.

(*3*) be of athletic habits and of physique good enough for outdoor work in all weathers and at all hours.

(*4*) have good eyesight.

The majority of the applicants only satisfied the first condition.

The Hon'ble Member is also referred to the reply given by the Hon'ble Sir George Barnes to question No. 14 (*b*) asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi at the meeting of the Imperial Legislative Council held on the 24th September, 1919."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

8.

Appointments in the Forest Department.

(*a*) Is it a fact that applications have recently been invited by the Conservator of Forests, Bengal, from Europeans for 8 posts in the Forest Department?

(*b*) Will the Government be pleased to say why applications have not been invited from suitable Indians who have graduated in Science?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Owing to unavoidable delays in filling up the sanctioned cadre of the Imperial Forest Service and the difficulties which would be caused by the consequent shortage of staff, the Government of India authorised this Government to entertain temporary officers as stop-gaps subject to a maximum pay of Rs. 800 a month and a time-limit of two years in each case. Applications were accordingly invited by the Conservator of Forests from Europeans for five posts, corresponding to the number of vacancies in the sanctioned cadre of the Imperial Forest Service.

(*b*) The question of appointing Indians who had graduated, not in Science, but in Engineering was considered: but in view of the fact that the officers proposed to be appointed were intended to take the place of Imperial Officers and would only hold the posts for two years without any prospects of any further employment in the Forest Department, the suggestion was abandoned."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

9.

Through 3rd class tickets on the Darjeeling-Himalayan Railway.

(*a*) Is it a fact that through 3rd class tickets are not issued to passengers travelling over the Darjeeling-Himalayan Railway and Eastern Bengal Railway from Darjeeling to Calcutta in ordinary passenger trains?

(*b*) Is it a fact that such passengers are charged the fares for the mail train?

(*c*) Are the Government aware that this arrangement causes great inconvenience to passengers, especially those who come from Darjeeling, Kurseong, etc.?

(*d*) Are the Government considering the advisability of moving the Darjeeling-Himalayan Railway authorities to issue through tickets from Darjeeling and other places on the Darjeeling-Himalayan Railway to Calcutta and to charge ordinary fares?

Answer by the Hon'ble Mr. Cowley:—

"(*a*) Third class passengers from stations on the Darjeeling-Himalayan Railway can book through to Calcutta by paying the fare laid down for the Mail train. Passengers travelling by ordinary trains other than the Mail can take advantage of a lower fare over the Darjeeling-Himalayan Railway by booking to Siliguri and re-booking thence to Calcutta.

(*b*) Yes.

(*c*) No.

(*d*) No, the Local Government do not consider that any action is necessary as the Darjeeling-Himalayan Railway Company have the right of fixing a tariff of fares, subject to the maximum prescribed under their contract."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10.

Will the Government be pleased to make a statement giving the names of the proposed railway lines in the Dacca Division, and showing the progress made in regard to each? Pro line Dac

Answer by the Hon'ble Mr. Cowley:—

" The Hon'ble Member is referred to " Railways in India, Administration Report for the year 1917-18," Appendix II to which contains a list of Railways and tramways projected up to 31st March, 1918, and the progress made on each up to that date

The Hon'ble Member is also referred to the answer given by the Hon'ble Sir Arthur Anderson to a question asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi at a meeting of the Imperial Legislative Council on 1st March, 1919, which was published in Part VI of the *Gazette of India* of 8th March, 1919

The following further progress has been made since the publication of the Administration Report of 1917-18:-

(*a*) In connection with the Serajganj-Mymensingh Railway, sanction was given in April, 1919, to undertake a detailed survey for a line from Nandanpur to Gabsera.

(*b*) In connection with extensions to the Mymensingh Bhairab Bazar Railway System sanction was given in November, 919, to undertake a detailed survey for a line from Sararchar through Kathiadi and Hossainpur to Kishoreganj and a reconnaissance survey of feeder lines in the neighbourhood of Kishoreganj "

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

11.

Will the Government be pleased to state when the following lines are expected to be opened:— Ope cert line

(*i*) Tangi-Tangail;

(*ii*) Netrakona-Mohanganj; and

(*iii*) Jharia-Bagmari?

Answer by the Hon'ble Mr. Cowley:—

" The Government of Bengal have no information to show when the lines are likely to be constructed or opened.

The alignment surveyed for the Tangi-Tangail Railway has been accepted. The projects are under examination by the Railway Board."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

12.

(*a*) Will the Government be pleased to state whether it is a fact that the proposals of the Local Government for the utilization of the grant of Rs. 3,09,876, for the improvement of the pay of the teachers of Government High Schools have been sanctioned? Imp of t teac Gov Hig

(*b*) If so, is it in the contemplation of the Government to give immediate effect to the scheme?

(*c*) Are the Government aware of the prevalence of a feeling of discontent at the delay that has already occurred?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) The answer is in the affirmative.

(*b*) The Hon'ble Member is referred to the reply given to question III (*b*).

(*c*) The answer is in the affirmative."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

13.

Improvement of staff and increase of pay of teachers in Government High Schools.

With reference to the reply given by the Hon'ble Mr. Goode to my question at the Council meeting of the 12th August, 1919, that there was no deflection of the amount earmarked for improving the staff and increasing the pay of Government High School teachers, is it in the contemplation of the Government to give retrospective effect to these proposals from the 1st April, 1917, *i.e.*, the date the Imperial grant was made, and, if necessary, to move the Government of India for the removal of any technical objection which may be in the way of so dealing with the matter?

Answer by the Hon'ble Mr. O'Malley:—

"The scheme was sanctioned by the Secretary of State in a telegram dated the 18th September, 1919, which was received by the Government of India on the 21st idem. Under the Civil Account Code unless otherwise expressly ruled, or unless the contrary appears from the context, a sanction of the Secretary of State takes effect from the date of receipt of the orders by the Government of India. Apart from this objection, which is not merely technical, it would be impracticable to give retrospective effect to the proposals from 1st April, 1917, both because the sums allotted in 1917-18 and 1918-19 are not included in the present year's budget, and also because it would not be possible to appoint teachers to the sanctioned posts with effect from the date mentioned."

By the Hon'ble Babu Akhil Chandra Datta:—

14.

Production of paper-pulp from bamboo.

(*a*) Will the Government be pleased to state the names of the private firms by whom experiments have been made in Bengal with a view to producing paper-pulp from bamboo?

(*b*) Are the Government in possession of the results which have been obtained from the said experiments?

(*c*) If so, have they been examined by the Government experts?

(*d*) Have the latter formulated any scheme on the subject?

(*e*) If so, will the Government be pleased to lay the same on the table?

(*f*) What immediate action, if any, are the Government taking to organise and promote the paper industry in Bengal?

(*g*) Will the Government be pleased to state the names of all persons and companies who have made applications for a lease of Government forests for the manufacture of paper-pulp from bamboo together with the names of the forests which the applicants have applied for?

(*h*) Of the applicants, how many are Indians and how many Europeans?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Experiments have been made in this Presidency by Messrs. Andrew Yule & Co., with a view to producing paper-pulp from bamboo.

(*b*) No.

(*c*), (*d*) and (*e*) In view of the answer to item (*b*), items (*c*), (*d*) and (*e*) do not arise.

(*f*) Government are promoting the paper industry by giving advice on technical matters, including matters of forestry, to firms interested in the manufacture of paper in Bengal. The question of paper-pulp will be taken up in the general scheme of detailed industrial inquiry when the local industrial department is placed on a permanent footing.

(*g*) and (*h*) Only one European firm, *viz.*, Messrs. Andrew Yule & Co., has applied to Government for a lease of the right of extraction of bamboos for the manufacture of paper-pulp. The application is under the consideration of Government."

By the Hon'ble Babu Akhil Chandra Datta:—

15.

Will the Government be pleased to state the following particulars about the Dow Hill Government Secondary School for girls at Kurseong, namely:—

Dow I Gover Secon School at Kur

(*i*) the names of the teachers and the subjects they teach,

(*ii*) the pay of each teacher;

(*iii*) the educational qualifications of each teacher,

(*iv*) the number of girls on the rolls together with the race to which they belong;

(*v*) the restrictions to admission, if any,

(*vi*) the total cost incurred by the Government for the school during the last financial year, and

(*vii*) the number of girls who passed the Matriculation Examination last year?

Answer by the Hon'ble Mr. O'Malley:—

"(*i*), (*ii*) and (*iii*) A statement is laid on the table.

(*iv*) The number is 120. They are either Europeans or Anglo-Indians.

(*v*) The School is intended for children of Europeans and Anglo-Indians in the service of Government, the claims of children of those serving in Bengal ordinarily receiving preferential treatment.

(*vi*) Rs. 87,119.

(*vii*) Nil. The Cambridge Local Examinations are taken."

Statement referred to in Question No. 15 (unstarred).

Dow Hill School, Kurseong.

Name of teacher	Subject taught.	Pay.	Educational qualification.
		Rs.	
1. Miss T. Cummins, Offg. Head Mistress.	French ...	300 (300—20—500) 150 (C. L. A.)	Certificat des etudes françaises superieures de la Sorbonne Paris.
2. French Mistress (temporary).	.....	300 Outside the graded service.	Vacant.
3. Miss J. Russel, Assistant Head Mistress.	Mathematics ...	200 (Class II. S. E. S.) 50 (C. L. A.)	First Arts Examination, Calcutta University.
4. Miss E. L Miller, Assistant Mistress.	Mathematics and History.	200 (Class II, S. E. S.) 50 (C. L. A.)	M. A ; Senior Certificate in Training. Government Training College, Allahabad.
5. Miss A M C. Mack, Assistant Mistress.	English ...	250 (Class I. S. E. S.)	B. A., L. T.
6. Miss B. M Bose, Assistant Mistress.	Geography ...	200 (150—10—250) 30 (C. L. A.)	Cambridge Higher Local honours certificate Cambridge Teachers certificate, class II.
7. Miss J. H deSouza, Assistant Mistress.	Kindergarten ...	150 (Class III. S. E. S.) 80 (C. L. A.)	Matriculation short Training in Maria Gray Training College, London.
8. Miss M Stuart, Assistant Mistress.	General subjects, Junior School.	150 (Class III, S. E. S.) 50 (C. L. A.)	High School Certificate. (On leave.) Miss Millett, acting.
9. Miss A North, Games Mistress.	Drill, Games and Dancing.	150 (Class III, S. E. S.) 80 (C. L. A.)	Senior and Junior Oxford, South Kensington, Drawing.
10. Miss R Wearing, Mistress of Drawing and Painting (temporary).	Drawing, Painting and Singing.	150 O. G. S. 80 (C. L. A.)	4 years' Art Training in Germany and England under Herr Frolich and Reginald Smith ; Teachers certificate, Ambleside.
11. Miss E. A. Lumsden, Assistant Mistress.	Botany (English and Arithmetic, class II)	100 (Class V, S. E. S.) 90 (C. L. A.)	Higher certificate, National Froebel Union, trained in England.
12. Miss M Mackertich, Assistant Mistress.	Scripture and Needle-work.	100 (O. G. S.) 90 (C. L. A.)	High School Teachers Training certificate, All Saints' College, Nainital.
13. Miss M. Bwye, Assistant Mistress.	English and Mathematics.	100 (Class V, S. E. S.)	B. A (Allahabad) ; trained at All Saints' College, Nainital.
14. Miss S. George, 1st Music Mistress.	Music ...	115 (110—5—170) 50 (C. L. A.)	Advanced Grade Ex. Assoc. Board, R. A. M. & R. C. M., London.
15. Miss P. M. Pemberton, 2nd Music Mistress.	Do. ...	100 (100—5—150) 50 (C. L. A.)	A. L. C. M.
16. Miss E. Lawrence, 3rd Music Mistress (temporary).	Do. ...	100 (O. G. S.) 50 (C. L. A.)	Associated Trinity College, London.
17. Mistress of Domestic Economy and Housewifery.	Domestic Economy and Housewifery.	200—10—250	Vacant.

By the Hon'ble Babu Akhil Chandra Datta:—

16.

(*a*) Will the Government be pleased to enumerate all the projects which have been recommended by the Sanitary Board for the sanitary improvement of the province?

(*b*) Which of them, if any, have received the administrative approval of the Government?

(*c*) Which of them, if any, have been executed, and at what cost?

(*d*) Which of them do the Government contemplate carrying out during the current financial year, and at what approximate cost?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*), (*c*) and (*d*) A statement is laid on the table.

(*b*) All the schemes have received the administrative approval of Government."

Statement referred to in Answer to Question No. 16 (unstarred).

Year.	Schemes recommended by the Sanitary Board
1894.	Cossipur-Chitpur water-supply.
1896.	Faridpur ditto.
	Howrah ditto.
1897.	Berhampur ditto.
	Cossipur-Chitpur drainage.
1899.	Patuakhali water-supply
1900.	Maniktola water-supply extension.
1901.	Jessore water-supply.
	Dinajpur drainage scheme.
1902.	Faridpur water-supply.
	Garden-Reach water-supply
	South Suburban ditto
	Burdwan water-supply improvement.
	Mymensingh water-supply improvement.
	Howrah drainage scheme
1903.	Tittaghur water-supply.
	Garulia ditto.
	Bhatpara ditto.
	Howrah drainage scheme.
1905.	Howrah drainage scheme (extension).
	Tittaghur drainage scheme.
1906.	Khulna water-supply.
	Narainganj ditto
	Tollygunge water-supply extension.
	Kurseong water-supply improvement.
	Maniktola water supply.
	Howrah drainage scheme (Northern Foreshore section).
1907.	Howrah waterworks extension.
	Baraset drainage scheme.
	Basirhat ditto.
	Baruipur ditto.
	Baranagar ditto.
	Budge-Budge ditto.
	Garulia ditto.
	Howrah drainage scheme (Southern Foreshore section).
1908.	Khulna drainage scheme
	Howrah drainage scheme (Southern Foreshore section).
	Howrah drainage scheme (Northern Foreshore section).
	English Bazar drainage scheme.

Year	Schemes already executed and their cost	Rs.
1894.	Cossipur-Chitpur water-supply	80,000
1896.	Howrah water-supply	15,00,000
1898.	Patuakhali ditto ...	4,000
1899.	Berhampur ditto ...	2,40,000
1900.	Krishnagar drainage scheme	28,000
1903.	Garden Reach water-supply	44,000
1904	Tittaghur water-supply	13,000
	South Suburban water-supply	29,000
	Gurulia water-supply	5,000
1906.	Bhatpara ditto ...	21,000
1907.	Khulna ditto ...	18,000
1908.	Faridpur ditto ...	12,000
	Narayangunge ditto ...	2,20,000
	Tollygunge ditto ...	16,000
	Tittaghur drainage scheme	85,000
1910.	English Bazar drainage scheme	24,000
1911.	Maniktola water-supply	14,000
	Naihati ditto ...	14,000
	Khulna drainage scheme	6,800
	Bhatpara drainage scheme	17,000
	Basirhat drainage scheme	7,000
	Baraset drainage scheme	11,000
	Garulia drainage scheme	29,000
1912.	Darjeeling water-supply improvement ...	1,84,000
	Kurseong water-supply	65,000
	Barisal ditto ...	1,07,000
	Chandpur ditto ...	27,000
	Darjeeling drainage scheme	76,000
	Bhatpara drainage scheme	1,16,000
	Budge-Budge drainage (portion)	15,000

Year.	Schemes recommended by the Sanitary Board
1909.	Jessore water-supply.
	Naihati ditto.
	Bhatpara drainage scheme.
	Berhampur ditto.
1910.	Khulna water-supply extension.
	South Suburban water-supply extension.
	Hooghly-Chinsura water-supply.
	Burdwan drainage scheme.
	Kushtia ditto.
	Bankura ditto.
	Darjeeling water-supply improvement.
1911.	Serampur water-supply.
	Barisal water-supply.
	Pirojpur ditto.
	Darjeeling drainage scheme.
1912.	Bankura water-supply.
	Howrah water-supply (extension and improvement).
	Chandpur water-supply.
1912.	Uttarpara drainage scheme.
	Katwa drainage scheme.
	Ranaghat ditto.
	Bhatpara drainage outfall.
1913.	Bhadreswar drainage scheme (portion).
	Howrah drainage scheme (central).
	Burdwan water-supply improvement.
1914.	Chittagong water-supply.
	Burdwan water-supply improvement.
	Howrah water-supply improvement (Bally khal).
	Barisal water-supply (completion).
	Narayanganj water-supply (extension).
	Uttarpara water-supply.
	Garden-Reach drainage.
	Kurseong drainage.
1915.	Chandpur water-supply (northern portion).
	Berhampur water-supply improvement.
1917.	Mymensingh waterworks improvement (1st portion).
1918.	Kurseong sewerage.
	Reconstruction of drain in Bhagatbir Jhora in Kurseong.
1919.	Krishnagar water-supply.
	Dacca sewerage (initial portion).
	Noakhali water-supply.
	Darjeeling waterworks improvement.

Year.	Schemes already executed and their cost	Rs.
1913.	Pirojpur water-supply	20,000
	South Suburban water-supply extension ...	22,000
	Garulia drainage scheme	15,000
	Serampur waterworks	1,54,000
1914.	Jessore water works ...	1,54,000
	Hooghly-Chinsura water-works	6,03,500
	Ranaghat drainage ...	35,000
	Berhampur drainage ..	32,809
	Uttarpara drainage ...	10,250
	Bankura drainage ...	10,000
1915.	Bankura waterworks	55,455
	Burdwan drainage (1st portion)	1,30,000
	Kushtia drainage ...	27,063
	Bhadreswar drainage (Contract No. 1) ...	15,821
	Baruipur drainage ...	17,209
	Kurseong drainage ...	61,619
1916.	Chittagong waterworks	3,58,796
	Barisal waterworks completion	20,000
	Katwa drainage ...	52,000
1917.	Bhadreswar drainage (Contract No. 2) ...	10,500
	Tangail drainage ...	17,290
	Garden-Reach drainage ...	81,433
1918.	Bhatpara drainage (extension)	23,000
	Uttarpara waterworks ...	1,50,545
1919.	Satkhira waterworks ...	70,000
	Nator waterworks ...	88,200

Schemes in progress during the current year and their cost	
Kurseong sewerage estimated cost ...	1,08,000
Dacca sewerage (initial portion) estimated cost	10,08,000
Dacca waterworks improvement estimated cost	1,22,377
Mymensingh water-supply scheme estimated cost ...	1,53,306
Midnapore water-supply scheme estimated cost	5,54,000
Krishnagar water-supply scheme estimated cost	4,13,600

By the Hon'ble Babu Akhil Chandra Datta:—

17.

Number of beds in the hospitals in Bengal.

(*a*) Will the Government be pleased to lay on the table a statement showing the number of beds which the hospitals in all the districts of Bengal contain?

(*b*) Have any beds been added in any hospital or hospitals during the last five years? If so, how many, and in which hospital?

Answer by the Hon'ble Mr. Marr:—

"Two statements are laid on the table."

A.

Statement referred to in the answer by the Hon'ble MR. MARR *to question No. 17 (unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council meeting of the 18th December, 1919, showing the number of beds available in hospitals in Calcutta.*

	Men	Women	Total
Calcutta—			
Medical College Hospital—Medical ...	187	67	254
Ditto Surgical ...	152	54	206
Eden Hospital	...	105	105
Sham Charan Law Eye Infirmary ...	38	13	51
Presidency General Hospital ...	155	80	235
Campbell Hospital	377	253	630
Sambhu Nath Pundit Hospital ...	76	26	102
Victoria Memorial Hospital for Females	...	78	78
Kalighat Ram Chandra Goenka Hospital	16	4	20
Mayo Hospital	89	16	105
Belgachia Albert Victor Hospital ...	71	41	112
Howrah General Hospital	89	40	129
Dufferin Victoria Hospital ..	...	104	104
Total ...	1,250	881	2,131
Burdwan—			
Katwa Hospital	4	...	4
Raniganj Hospital	12	6	18
Asansol Hospital	16	6	22
Burdwan Fraser Hospital	97	30	127
Kalna Mission Hospital	52	18	70
Total ...	181	60	241
Birbhum—			
Suri Sadar Hospital	22	...	22
Bolpur Waller Charitable Dispensary	2	2	4
Rampur Hat Dispensary ...	6	2	8
Lady Curzon Zenana Hospital ...	...	5	5
Total ...	30	9	39
Bankura—			
Bankura Sadar Hospital	22	14	36
Vishnupur Dispensary	7	3	10
Saranga Mission Dispensary ...	4	2	6
Lady Dufferin Zenana Hospital ...	...	2	2
Total ...	33	21	54
Midnapore—			
Kharagpur Passenger and Isolation Hospital.	6	2	8
Sadar King Edward Memorial Hospital	63	18	81
Tamluk Dispensary	6	3	9
Ghatal ditto	6	3	9
Gewankhali ditto	1	1	2
Dantan ditto	6	2	8
Contai ditto	12	4	16
Nandigram ditto ...	4	2	6
Total ..	104	35	139

	Men.	Women.	Total.
Hooghly—			
Uttarpara Dispensary	16	4	20
Serampore Walsh Hospital ...	36	20	56
Arambagh Dispensary ...	5	3	8
Hooghly Imambarah Sadar Hospital ...	45	25	70
Total ...	102	52	154
Howrah—			
Amragori Dispensary	6	...	6
Amta ditto	4	...	4
Sulkia Infectious Hospital ...	14	4	18
Ulubaria ditto ...	4	4	8
Total ...	28	8	36
24-Parganas—			
Dum-Dum Cantonment Hospital ...	2	2	4
Barisha Dispensary ...	5	1	6
Barirhat ditto ...	4	2	6
Barasat ditto ...	10	3	13
Budge-Budge ditto ...	10	4	14
Diamond Harbour ditto ...	13	7	20
North Suburban Hospital, Cossipore ...	33	11	44
Russa (Prince Golam Mohammad) Charitable Dispensary	16	6	22
B. N. Bose Dispensary, Barrackpore ...	16	8	24
Total ...	109	44	153
Nadia—			
Krishnagar Sadar Hospital ...	23	14	37
Ranaghat Dispensary	4	2	6
Santipur ditto	4	1	5
Meherpur ditto	3	2	5
Kushtia ditto	4	2	6
Navadwip ditto	2	2	4
Chuadanga ditto	3	2	5
Ratanpur Mission Female Hospital ...	...	32	32
Total	43	57	100
Murshidabad—			
Berhampore Sadar Hospital ...	56	38	94
Lalbagh Dispensary	12	6	18
Jangipur ditto	12	4	16
Azimganj ditto	12	4	16
Total ...	92	52	144
Jessore—			
Jessore Sadar Hospital	22	6	28
Kotchandpur Dispensary	4	2	6
Jhenida ditto	6	2	8
Magura ditto	4	4	8
Narail ditto	4	1	5
Bongaon ditto	4	2	6
Total ...	44	17	61

	Men	Women	Total
Khulna—			
Khulna Woodburn Hospital ...	26	11	27
Satkhira Dispensary	5	3	8
Bagerhat ditto	11	2	13
Nawapara ditto	4	2	6
Total ...	46	18	64
Dacca—			
Mitford Hospital, Dacca	131	24	155*
Narayanganj Victoria Hospital ...	26	6	32
Hashara Joykali Charitable Dispensary	2	2	4
Munshiganj Dispensary	13	4	17
Manikganj ditto	8	2	10
Lady Dufferin Hospital, Dacca ...	...	10	10
Total ...	180	48	228
Mymensingh—			
Mymensingh Sadar	46	22	68†
Sherpur Dispensary	5	2	7
Hybutnagar ditto	6	2	8
Jamalpur ditto	14	4	18
Tangail ditto	12	4	16
Bajitpur ditto	4	...	4
Dhalla ditto	3	1	4
Netrokona ditto	14	4	18
Bhairab Bazar ditto	3	1	4
Total ...	107	40	147
Faridpur—			
Faridpur Sadar Hospital	18	9	27
Madaripur Dispensary	6	2	8
Rajbari ditto	15	4	19
Gopalganj ditto	8	...	8
Goalundo Ghat ditto	34	8	42
Total ...	81	23	104
Bakarganj—			
Barisal Isolation Hospital	12	4	16
Barisal Sadar Hospital	33	9	42
Pirojpur Dispensary	16	4	20
Patuakhali ditto	10	3	13
Bhola ditto	7	1	8
Daulatkhan ditto	2	...	2
Total ...	80	21	101
Chittagong—			
Chittagong General Hospital ...	58	14	72
Cox's Bazar Dispensary	4	4	8
Sitakunda ditto ...	5	1	6
Total ...	67	19	86

* The number will be raised on the completion of the new wards.
† In the new hospital there will be 80 beds.

	Men.	Women.	Total
Noakhali—			
Noakhali Sadar Hospital	22	3	25
Feni Dispensary	10	3	13
Harishpur Dispensary	2	...	2
Total ...	34	6	40
Tippera—			
Comilla Sadar Hospital	24	4	28
Brahmanbaria Hospital	11	1	12
Chandpur Elgin Hospital	8	8	16
Lady Dufferin Faizunnessa Zenana Hospital, Comilla	...	4	4
Total ...	43	17	60
Chittagong Hill Tracts—			
Rangamati Sadar Hospital	4	4	8
Bandarban Dispensary	4	...	4
Mahalchari ditto	2	2	4
Manikchari ditto	3	...	3
Lama ditto	1	1	2
Barkhal ditto	2	...	2
Ramgarh ditto	1	...	1
Tintilla ditto	1	...	1
Total ...	18	7	25
Rajshahi—			
Rampur Boalia Sadar Hospital ...	31	9	40
Natore Dispensary ...	12	4	16
Naugaon Price Charitable Dispensary	4	2	6
Total ...	47	15	62
Dinajpur—			
Dinajpur Sadar Hospital ...	38	16	54
Thakurgaon Dispensary ...	10	2	12
Balurghat ditto ...	4	2	6
Total ...	52	20	72
Jalpaiguri—			
Buxa Duar Civil Dispensary ...	1	1	2
Jalpaiguri Sadar Hospital ...	46	12	58
Alipur Duars Hospital ...	4	2	6
Falakata Dispensary ...	4	1	5
Total ...	55	16	71
Rangpur—			
Rangpur Sadar Hospital	47	11	58
Gaibanda Dispensary	4	2	6
Kurigram ditto	4	2	6
Nilphamari ditto	4	1	5
Ulipur ditto	4	2	6
Total ...	63	18	81

	Men.	Women.	Total.
Bogra—			
Bogra Sadar Hospital	18	4	22
Sherpur Dispensary	2	2	4
Total ...	20	6	26
Pabna—			
Pabna Sadar Hospital	21	6	27
Serajganj Victoria Hospital ...	22	8	30
Total ...	45	14	57
Malda—			
Malda English Bazar Hospital ...	22	6	28
Nawabganj Dispensary	4	4	8
Total ...	26	10	36
Darjeeling—			
Naxalbari Dispensary	8	3	11
Pankhabari ditto	8	8	16
Darjeeling Victoria Hospital ...	31	16	47
Kurseong Dispensary	16	10	26
Siliguri ditto	16	4	20
Pedong ditto	2	2	4
Kalimpong Mission Hospital ...	25	25	50
Eden Sanitarium Hospital	91	...	91
Total (excluding Calcutta) ...	1,925	721	2,646
Total (including Calcutta) ...	3,175	1,602	4,777

B.

Statement referred to in the answer by the Hon'ble Mr. Marr *to question No. 17 (unstarred) asked by the Hon'ble* Babu Akhil Chandra Datta *at the Council Meeting of the 18th December, 1919, showing the number of beds that have been added in the hospitals named against each during the last five years.*

	Number of beds		
	Men	Women.	Total.
Calcutta—			
Medical College Hospitals ...	34	21	55
Eden Hospital	...	9	9
Dufferin Victoria Hospital ...	...	4	4
Total ...	34	34	68
Burdwan—			
Fraser Hospital	8	...	8
Birbhum—			
Suri Sadar Hospital	10	...	10
Bolpur Waller Charitable Dispensary	2	2	4
Total ...	12	2	14

	Number of beds.		
	Men	Women.	
Bankura		*Nil*	
Midnapore—			
Sadar King Edward Memorial Hospital	13	3	16
Dantan Hospital	4	...	4
Total ...	17	3	20
Hooghly		*Nil*	
Howrah—			
Amta Hospital	4	...	4
24-Parganas—			
Barasat Hospital	2	1	3
Budge-Budge Hospital	6	2	8
Diamond Harbour Hospital ...	2	...	2
North Suburban Hospital, Cossipur	3	1	4
Total ...	13	4	17
Nadia—			
Krishnagar Sadar Hospital ...	3	8	11
Chuadanga Hospital	2	1	3
Ratanpur Mission Female Hospital	...	10	10
Total ...	5	19	24
Murshidabad—			
Berhampore Sadar Hospital ...	...	1	1
Jangipur Hospital	4	...	4
Total ...	4	1	5
Jessore—			
Jessore Sadar Hospital	4	...	4
Kotchandpur Hospital	2	2	4
Jhenida do.	2	...	2
Total ..	8	2	10
Khulna—			
Khulna Woodburn Hospital ...	4	2	6
Bagerhat Hospital	1	...	1
Nawapara do.	4	2	6
Total ...	9	4	13
Dacca—			
Munshiganj Hospital	8	...	8
Lady Dufferin Zenana Hospital ...	...	6	6
Total ...	8	6	14
Mymensingh—			
Mymensingh Sadar Hospital ...	9	15	24
Bajitpur Hospital	4	...	4
Total ...	13	15	28

	Number of beds.		
	Men.	Women.	Total.
Faridpur—			
Rajbari	3	...	3
Bakarganj—			
Barisal Sadar	...	3	3
Chittagong—			
Chittagong General Hospital ...	12	2	14
Sitakunda Hospital	3	...	3
Total ...	15	2	17
Noakhali—			
Noakhali Sadar Hospital ...	7	...	7
Feni Hospital	2	...	2
Harishpur do.	2	...	2
Total ...	11	...	11
Tippera—			
Chandpur Elgin Hospital ...	4	6	10
Rajshahi—			
Rampur Boalia Hospital ...	7	...	7
Dinajpur—			
Thakurgaon Hospital	4	...	4
Balurghat do.	1	...	1
Total ...	5	...	5
Jalpaiguri—			
Jaipaiguri Sadar Hospital ...	19	8	27
Falakata Hospital	1	...	1
Total ...	20	8	28
Rangpur—			
Rangpur Sadar Hospital ...	7	1	8
Bogra—			
Bogra Sadar Hospital	2	...	2
Pabna—			
Serajganj Victoria Hospital ...	...	4	4
Malda—			
Nawabganj Hospital	4	4	8
Darjeeling—			
Naxalbari Hospital	1	...	1
Pedong do.	...	2	2
Kalimpong do.	...	5	5
Total ...	1	7	8
GRAND TOTAL ...	214	125	339

By the Hon'ble Babu Akhil Chandra Datta:—

18.

Number of dispensaries maintained by district boards.

Will the Government be pleased to lay on the table a statement showing the number of dispensaries maintained by each district board in Bengal?

Answer by the Hon'ble Mr. Marr:—

"The following statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. MARR *to question No. 18 (unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council meeting of the 18th December 1919, showing the number of Dispensaries maintained by each District Board.*

[*Vide* List of Dispensaries corrected up to the 30th November, 1919.]

District.	Number of Dispensaries.	REMARKS.
CIVIL SURGEONS.		
I.—BURDWAN DIVISION—		
1. Burdwan	17 and 9*	* Temporary Fever Dispensaries; most of them are working for some months every year.
2. Birbhum	6	Of this one is maintained both by the District Board and Suri Municipality.
3. Bankura	5	
4. Midnapore	2	
5. Hooghly	10	
6. Howrah	6	
Total ...	46	
II—PRESIDENCY DIVISION—		
7. 24-Parganas ...	17	
8. Nadia	9	
9. Murshidabad ...	5	
10. Jessore	11	
11. Khulna	19	
Total ...	61	
III.—DACCA DIVISION—		
12. Dacca	20	
13. Mymensingh ...	23	
14. Faridpur	15	
15. Bakarganj	26	
Total ...	84	
IV.—CHITTAGONG DIVISION—		
16. Chittagong	16	Of this one is maintained both by the District Board and the local Municipality.
17. Noakhali	14	
18. Tippera	16	
19. Chittagong Hill Tracts ...	...	There is no District Board.
Total ...	46	

District.	Number of Dispensaries.	Remarks.
V.—Rajshahi Division—		
20. Rajshahi	10	
21. Dinajpur	11	
22. Jalpaiguri	1	
23. Rangpur	27	
24. Bogra	12	
25. Pabna	1	
26. Malda	6	
27. Darjeeling	...	There is no District Board.
Total ...	68	
Grand Total ...	305 and 9*	*Temporary Fever Dispensaries.

By the Hon'ble Babu Akhil Chandra Datta:—

19.

(*a*) Will the Government be pleased to state whether Mr. Pilgrim, the tanning expert, has submitted his report about the possibilities of obtaining tanning materials from the Sundarban forests? Report tannin on the materi obtain the Su forest

(*b*) If so, will the Government be pleased to publish it?

(*c*) What action, if any, do the Government propose to take in this connection?

Answer by the Hon'ble Mr. McAlpin:—

"The report has not yet been received: the subsidiary points raised in the question do not, therefore, at present arise."

By the Hon'ble Babu Akhil Chandra Datta:—

20.

(*a*) Will the Government be pleased to state whether it is a fact that Baladeb Pande, father of Debanand, a *détenu* interned in village Malo, within the Jalpaiguri district submitted a petition in July last to grant his son leave for one month to enable him to come home to perform the yearly *sradh* of his mother which was to take place on the 23rd *Sraban* last? Allege to gra a *déte*

(*b*) Is it a fact that the Additional Under Secretary informed him in reply that the Government were not prepared to accede to his prayer?

(*c*) Is it a fact that thereafter Baladeb Pande sent a wire to the Additional Secretary, Political Department, praying for seven days' leave for his son Debanand and that this prayer was also rejected?

(*d*) Is it a fact that Debanand is the only son of his parents?

(*e*) Will the Government be pleased to state the reasons why leave was not granted to Debanand with such restrictions as might have been considered necessary?

Answer by the Hon'ble Mr. Stephenson:—

"(*a*) Baladeb Pande did submit a petition to that effect.

(*b*) Yes.

(*c*) Yes.

(*d*) Yes.

(*e*) *Détenus* are usually allowed leave to go home on the occasion of the first *sradh* after a parent's death but not on the occasion of the annual *sradh*. In Debanand Pande's case there was no reason for the grant of a special concession."

By the Hon'ble Babu Akhil Chandra Datta:—

21.

Particulars about the construction, etc., of a building occupied by the Settlement Officer of Tippera and Noakhali.

(*a*) Will the Government be pleased to state what was the total cost incurred in building the two-storied *pucca* house at Comilla which was till very recently in the personal occupation of the Settlement Officer of Tippera and Noakhali?

(*b*) From what fund did the cost of construction of the said building come?

(*c*) What was the purpose for which the building was originally constructed?

(*d*) How is the building proposed to be utilised now that it is no longer required for the Settlement Officer?

(*e*) Is there any foundation for the popular impression that the cost of the said building was included in the cost of the settlement operations which have been or which are proposed to be recovered from the landlords and tenants concerned?

(*f*) Will the Government be pleased to lay on the table the correspondence and other papers relating to the construction of the said building and leading up to the final order or sanction under which the building was constructed?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Rupees 53,130, including cost of out-houses, land and establishment charges of the Public Works Department.

(*b*) The cost was met by the Government of India, as the initial expenditure in connection with all major settlements is advanced by the Imperial Government.

(*c*) It was built as a residence for the Settlement Officer and an Assistant Settlement Officer; but it was intended that at the conclusion of the settlement operations it would be used as a residence for some other Government officer.

(*d*) It has been arranged to utilise it as the Collector's residence.

(*e*) It is the case that the original cost is included in the cost of the operations; but the Hon'ble Member appears to be under a misapprehension. It is also the case that the proceeds from the sale of the said building to the Local Government are credited to the account of the operations as well as the rent realised during the time it has been in the possession of the Settlement Department. The minus difference, if any, between the original cost and the subsequent credits, is borne by the Government of India and the landlords and tenants in the proportion of 1 : 3. The amount to be paid by the Local Government for the building has not yet been determined; and it is therefore not yet possible to say whether the transaction will result in a small profit or loss to the landlords and tenants.

(*f*) No."

By the Hon'ble Babu Akhil Chandra Datta:—

22.

(*a*) Will the Government be pleased to state what was the total cost incurred in the construction of the one-storied building at Comilla which has been used and is still used as the office of the Settlement Officer of Tippera and Noakhali?

Cost of construc of a bui for the c the Settl Officer o Tippera Noakhal

(*b*) Has this cost been included in the cost of settlement operations which have been or which are proposed to be recovered from the landlords and tenants concerned?

(*c*) What use is it proposed to make of this building now that it will no longer be required for the office of the Settlement Officer?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Rupees 25,417, excluding establishment charges of the Public Works Department.

(*b*) and (*c*) Several alternative schemes for the utilization of this building have been put forward from time to time, and recently a site committee under the presidency of the Commissioner of Chittagong was appointed to consider these schemes and advise Government. They have proposed that the Police Department should take over the building at a proper valuation as part of the scheme for new police lines. The difference between the original cost and the present valuation will in that case be borne by the Government of India and the parties from whom costs are realisable under section 114 of the Tenancy Act in the proportion of 1 : 3."

By the Hon'ble Babu Akhil Chandra Datta:

23.

(*a*) Will the Government be pleased to state whether they are under any obligation to provide Settlement Officers with their private quarters?

Provisio private q for Settl Officers.

(*b*) Will the Government be pleased to lay on the table the rules or circulars, if any, as to the cost of construction of private quarters for Settlement Officers?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) Government have agreed to the erection of quarters only at the headquarters of districts where no suitable houses are available. In districts such as Bankura and Murshidabad no such special provision has been found necessary.

(*b*) There are no special rules or circulars regarding the cost of construction of buildings for Settlement Officers as distinct from buildings for other officers."

By the Hon'ble Babu Akhil Chandra Datta:—

24.

(*a*) Is it a fact that Mr. Sudhir Kumar Bose was recently admitted into the Calcutta Medical College as a patient in a room which is ordinarily allowed to European patients, but that he was removed on the day following to the Ezra Hospital on no other ground than that he is an Indian?

Removal Indian p from the Medical Hospital Ezra Ho

(*b*) Is it a fact that he had fever at the time of such removal?

(*c*) Is it a fact that Mr. Bose is a Doctor in the Military Service?

(*d*) Are the Government aware that instances of racial distinction cause great irritation to the Indian mind.

(*e*) Will the Government be pleased to state what action, if any, they are taking in the matter?

Answer by the Hon'ble Mr. Marr:—

" (*a*) Mr. Sudhir Kumar Bose is an old student of the Medical College, Calcutta. As a matter of special privilege Indian students, when ill, are permitted to occupy a room in the Ezra Hospital. As an old student of the Medical College, the same privilege was extended to Mr. Sudhir Kumar Bose, and he has been enjoying the benefit of a large airy room to himself. His father has expressed his personal gratitude for this privilege being extended to him.

(*b*) Mr. Bose had fever at the time of his removal, but no risk was thereby involved, otherwise the patient would not have been moved.

(*c*) Yes.

(*d*) and (*e*) As explained in (*a*), this is not a case of racial distinction and no further action is proposed."

By the Hon'ble Babu Akhil Chandra Datta:—

25.

Introduction of the Bengal Village Self-Government Act 1919, in the province.

(*a*) What are the districts in which the Government propose immediately to introduce the Bengal Village Self-Government Act, 1919?

(*b*) When is the election of the Union Boards and Local Boards under the said Act likely to come off?

(*c*) What contribution, if any, do the Government propose to make to the total " Union Fund " of the Presidency in the year 1920-21?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) The Act has been extended to the Sadar Kalna and Katwa subdivisions of the Burdwan district with effect from the 1st November, 1919, and it is expected that it will shortly be extended to the Dacca district. It is also in contemplation to extend the Act to other districts, but complete schemes for the establishment of Unions have not yet been formulated.

(*b*) The first election of Union Boards under the rules framed under the Bengal Village Self-Government Act will take place within six months after their establishment under section 6 of the Act. The election of Local Boards is regulated by the Bengal Local Self-Government Act and not by the Bengal Village Self-Government Act.

(*c*) Government do not contemplate making any contributions to the ' Union Funds ' in the year 1920-21."

By the Hon'ble Babu Akhil Chandra Datta:—

26.

Conferment on district boards of the right of electing their own chairman.

(*a*) Will the Government be pleased to state whether it is in their contemplation to confer upon any district board or boards the right of electing their own chairman within 1920?

(*b*) Will the Government be pleased to make a full statement as to the policy they propose to follow in this connection?

Answer by the Hon'ble Mr. O'Malley:—

" (*a*) and (*b*) The Hon'ble Member is referred to the announcement made by His Excellency the Governor at the District Board conference held at Government House, Calcutta, on the 4th December, 1919."

By the Hon'ble Babu Akhil Chandra Datta:—

27.

Will the Government be pleased to make a full statement, district by district, of the relief given by the Government to the cyclone-stricken people in—

Relief given to the cyclone

(*1*) cloth;
(*2*) rice;
(*3*) cash;
(*4*) loan; and
(*5*) seeds?

Answer by the Hon'ble Mr. McAlpin:—

"Full and detailed statements, district by district, are under preparation and will be published after the conclusion of the relief operations."

By the Hon'ble Babu Akhil Chandra Datta:—

28.

(*a*) Will the Government be pleased to state whether it is at present in their contemplation to appoint District and Sessions Judges from the members of the mufassal Bar?

Appointment of District and Sessions Judges from the members of the mufassal Bar

(*b*) If so, how many appointments are proposed to be made and when?

(*c*) What will be the procedure to be followed in making the selections?

(*d*) Upon whose recommendation will the appointments be made?

(*e*) Is it in the contemplation of the Government to invite nomination from all District Judges or District Magistrates on the occasion of each appointment?

(*f*) Have the Government made any rules in this behalf?

(*g*) If so, will the Government be pleased to lay them on the table?

Answer by the Hon'ble Mr. Stephenson:—

"The question of recruitment of District and Sessions Judges from the Bar has been under consideration in connection with the recommendation of the Public Services Commission. Until final orders are passed in the matter, no details can be settled."

By the Hon'ble Babu Akhil Chandra Datta:—

29.

(*a*) Will the Government be pleased to state whether it is a fact that among the Additional District Judges there are some who have had hardly any experience or training in civil cases, who have to hear appeals in intricate civil suits against the decisions of very senior Subordinate Judges and Munsifs?

Hearing of appeals by Additional District Judges

(*b*) Has the attention of the Government been drawn to the opinion that has been expressed that it is unfair not only to the litigants but also to the officers themselves that they should be required to hear intricate civil appeals without previous training and experience?

(*c*) Are the Government considering the desirability of making an inquiry and of taking such steps as may be necessary to bring about a reform in this matter?

Answer by the Hon'ble Mr. Stephenson:—

"It is a fact that some Additional District Judges at the time of their first appointment have had little experience in civil cases, but the instances in which they are required immediately to hear intricate civil appeals are rare. The question of improving the legal training of members of the Indian Civil Service who are allotted to the judicial branch has long received the attention of Government, and in 1913 proposals were sanctioned by the Secretary of State to enable them to undertake courses of study in law in England. In 1914 orders were passed under which selected junior members of the service were to be given continuous training in civil cases for a period of 18 months before they joined the judicial branch, but owing to the depletion of the cadre and the strain upon it in connection with the war, only three officers have so far received this training. It is hoped that, with the return of more normal conditions, it will be found possible to extend the system."

By the Hon'ble Babu Akhil Chandra Datta:—

30.

Facilities to Eurasians for appointments on railways.

Is there any foundation for the complaint that in the Assam-Bengal Railway and other railways in Bengal greater facilities are afforded to Eurasians than to Indians in the matter of appointments, and that better pay and prospects are ensured to the former than to the latter?

Answer by the Hon'ble Mr. Cowley:—

"The Local Government have no information"

By the Hon'ble Babu Akhil Chandra Datta:—

31.

Improvement in the Dacca School of Engineering.

(*a*) Will the Government be pleased to state what is the improvement now contemplated by the Government in the Dacca School of Engineering?

(*b*) What amount has been actually allotted for the said improvement?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) Government have sanctioned the following proposals for developing and improving the work of the Dacca School of Engineering:—

(*1*) that the school should be transferred from its present site in the Dacca College compound to the Eastern Bengal and Assam Secretariat Press buildings;

(*2*) that the school hostel at present located in the Dacca College compound should be removed to a portion of the Eastern Bengal and Assam Secretariat buildings, which will be occupied by the hostel until new buildings are erected for it on some suitable site;

(*3*) that the head of the school should reside in the Eastern Bengal and Assam Secretariat Press compound;

(*4*) that the Head Master of the school should be designated Principal;

(*5*) that the school should be placed under a Governing Body exercising independent control and certain definite powers in the matter of appointment and control of staff and the administration of finances;

(*6*) that of the 40 reduced feeships which were formerly tenable by Indian students at the Apprentice Department of the Civil Engineering College, Sibpur, eight should be transferred to the Dacca School of Engineering and commuted to 8 scholarships of Rs. 10 each with effect from the commencement of the session 1918-19.

Government have also sanctioned a fixed consolidated grant to meet the ontingent charges of the school for a period of three years with effect from 920-21 and have authorized the Governing Body to exercise certain powers spending the grant. Government have further sanctioned the creation —

(*1*) one post in class VI (Rs 300) of the Provincial Educational Service in lieu of a post in class II (Rs. 200) of the Subordinate Educational Service;

(*2*) five posts in the Subordinate Educational Service in lieu of certain posts outside the cadre of the Subordinate Educational Service;

(*3*) one additional post outside the grades for the appointment of an additional clerk.

(*b*) The actual allotments made by Government are —

(*i*) fixed consolidated grant for the school for three years,—Rs. 21,000 a year;

(*ii*) additional cost of staff, Rs 3,360 a year;

(*iii*) purchase of an additional cement testing machine, Rs. 350

Government will incur further expenditure on structural alterations and the removal of the workshops in connection with the transfer of the school its new quarters and also in erecting the new hostel buildings The irector of Public Instruction has been asked to submit proposals as to the tual expenditure to be incurred in executing these works "

the Hon'ble Babu Akhil Chandra Datta:

32.

(*a*) Will the Government be pleased to describe the scheme now der their consideration for the expansion of the Government Weaving stitute at Serampore? Expansi the Gov Weaving Institute Serampo

(*b*) What amount, if any, has actually been allotted for the execution of scheme?

(*c*) What was the total expenditure incurred last year in financing the d institute?

(*d*) What tangible results have so far been achieved by the said titute?

swer by the Hon'ble Mr. O'Malley:—

" (*a*) The proposal is to remove the Weaving Institute from Serampore, ere there are difficulties in the way of expansion, and to erect suitable build- s for its accommodation on a spacious site in the neighbourhood of Lillooah. e initial cost of the scheme (including land) is estimated at Rs. 4,32,000.

(*b*) No money has actually been allotted for the scheme, pending a ision on the question that has been raised of including a weaving depart- nt in the scheme for a technological institute in Calcutta.

(*c*) The total expenditure in 1918-19 was Rs. 33,336.

(*d*) From the higher class about a dozen students are turned out yearly, nearly all of whom have obtained suitable employment in factories or mills, or as weaving teachers, inspectors, etc. From the artisan class, which is attended by practical weavers, 43 passed out in the year 1918-19: of these 28 are working at their homes on fly-shuttle looms (the use of which they have learned at the institute) and 8 are employed in hand-loom factories or under Government: particulars are wanting as to the remaining 7. There are similar results for previous years. In addition to his work at the institute the Principal directs the work of five outlying weaving schools attended by practical weavers, and also gives advice on weaving matters in reply to constant inquiries addressed to him."

By the Hon'ble Babu Akhil Chandra Datta:—

33.

Training of foreman mechanics at Kanchrapara.

(*a*) Will the Government be pleased to describe the scheme now under their consideration for the training of foreman mechanics at Kanchrapara?

(*b*) What amount do the Government propose to allot for the execution of the scheme?

Answer by the Hon'ble Mr. O'Malley:—

"(*a*) A copy of the report of the committee, appointed by Government in resolution No 348-Edn., dated the 27th February, 1919, which describes the scheme, is laid on the library table.

(*b*) Government are considering the question of financing the scheme in consultation with the railway authorities A sum of Rs. 45,000 has been provided in the current year's budget for the construction of a hostel for Indians at Kanchrapara."

By the Hon'ble Babu Akhil Chandra Datta:—

34.

Names of industrial companies to whom facilities have been given for the acquisition of land.

(*a*) Will the Government be pleased to mention the names of the industrial companies to whom facilities have been afforded under the Land Acquisition Act for the acquisition of land, since the publication of the report of the Industrial Commission?

(*b*) What facilities have been afforded and when?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*)

	Names of Companies.	Dates of declarations under the Land Acquisition Act.
1.	Messrs. Marshall Sons & Co., Limited, of Gainsborough, England.	25-2-19
2.	The Bengal Iron and Steel Company, Limited ...	12-8-19
3.	The Indian Iron and Steel Company, Limited ...	19-9-19
4.	The Burma Oil Co., Limited	23-10-19
5.	Messrs. Thornycroft (India), Limited	9-12-19

Other applications are under consideration.

(*b*) Facilities have been afforded to these Companies by the application of the provisions of the Land Acquisition Act for the acquisition of land in their behalf. The dates of the declarations under the Land Acquisition Act are mentioned opposite their names."

By the Hon'ble Babu Akhil Chandra Datta:—

35.

Will the Government be pleased to mention the names of the industrial concerns to the promoters whereof technical advice has been given by the Government since the publication of the report of the Industrial Commission?

Names of industrial concerns to whom technical advice has been given.

Answer by the Hon'ble Mr. Marr:—

"Technical advice has been given in 10 cases altogether. Messrs. Davenport and Company and Messrs. J. Mahabeer and Company were two of these. In the other cases the inquirers did not state whether they were connected with any industrial concern."

By the Hon'ble Babu Akhil Chandra Datta:—

36.

(*a*) What is the scheme now under the consideration of the Government for the encouragement and improvement of handloom weaving?

Encouragement and improvement of handloom weaving.

(*b*) What is the name and status of the officer who was placed on special duty in this connection?

(*c*) When was he deputed and on what remuneration?

(*d*) What are the places at which he carried on his investigation?

(*e*) Has he submitted his report? If so, will the Government be pleased to lay it on the table?

Answer by the Hon'ble Mr. Marr:—

"(*a*) The weaving expert to the Government has been placed under the Director of Industries, but he has not yet submitted a report and no final scheme has yet been formulated

(*b*) Mr. E. Hoogewerf, Principal, Serampore Weaving Institution.

(*c*) 5th May 1918 Graded pay Rs. 500—50—750 *plus* Rs. 355 deputation allowance.

(*d*) Bankura, Pabna, Asansol, Dacca, Chapra (Nadia), Zowarganj (Chittagong), Noakhali and several villages in the district of Hooghly.

(*e*) Yes. The report is laid on the table."

REPORT REFERRED TO IN ANSWER TO QUESTION No. 36 (*e*).

Copy of letter No. 3216/M.B., dated the 21st October 1918, from E. Hoogewerf, Esq., to the Controller of Munitions, Bengal Circle, Calcutta.

I was placed on deputation in the Financial, Commerce and Industrial Department for six months with effect from the 5th of May 1918, to assist in the improvement of the handloom weaving industry of Bengal, and as the period of my deputation will terminate on the 4th of November next, I give below a summary of the work done by me.

2. In the month of May last I proceeded to Bankura to organise for the Registrar of Co-operative Credit Societies some of weavers' societies, to make it possible for the Registrar to undertake the weaving of *Dosuti* cloth, a demand for which was made by the Munitions Board, Simla. During the course of a week the teacher of the Bankura Weaving School and myself aided by some of my ex-students successfully organised some 13 societies, and Mr. Donovan who visited Bankura shortly after, found it necessary to

form a Union to finance and control these societies. A general meeting was accordingly convened of the leading gentlemen of the town, as many of the local weavers as could be got to attend to consider the proposals of the Registrar, and the possibilities of establishing these societies on a permanent basis.

3. The District Magistrate, Mr. Vas, was appointed President of the Union, and some of the local leading gentlemen, office bearers. The rules for the management of the Union with their bye-laws were formulated, and the Union was registered on the 18th June. The number of the societies was later increased to 20. These societies under the supervision of the Weaving teacher, Babu Sudhir Kumar Bannerjee, whose services were transferred to the Co-operative Department, successfully wove about twenty five thousand yards of *Dosuti* cloth for Government and other bodies, besides undertaking private orders and executing work which the Union was able to procure for them. The Union is working efficiently, and is in a position at present to undertake large orders for the manufacture of cloths.

4 Twenty similar societies were also started at Pabna, but it was not found necessary to organise a Union at that station, as a central bank already existed there, and the Registrar was of opinion that these societies could easily be controlled by the Managing Committee of the Bank. It was found that the Pabna weavers although organised expressly for the weaving of *Dosuti* cloth, could not be utilised for this purpose, as the rate of weaving which the Munitions Board was in a position to offer them was not found sufficiently attractive, and they preferred to carry on their own business, large orders for which they had weaving of *Lungi* cloths for the Chittagong and East Bengal and Burma markets, and several thousands of these fabrics are being sold to Mahajans weekly at the local *hâts*. Weaving societies could also have been started in the other districts of Bengal, where weaving schools exist, but as some difficulties arose with the Munitions Board, Simla, in the matter of prices, it was found impossible to manufacture Ordnance *Dosuti* cloth at the rates at which Mr. Silver was agreeable to buying the material, and hence the manufacture of Ordnance *Dosuti* cloth has been temporarily abandoned.

5. I also organised a body of some 80 to 100 weavers in the villages some distance away from the town of Bankura on behalf of the Bengal Home Industries Association, and these weavers are still executing the orders for Ordnance *Dosuti* cloth, special yarn for which was purchased I understand that some 8 000 yards of this material is now ready and it has been woven up to the specifications required by the Ordnance Department. Mr Silver from time to time has written to say that he is prepared to purchase *Dosuti* cloth which could be utilized for other purposes than the making of tents, but hitherto since no definite order has been placed by him, no work could be given to the societies and in consequence it seems useless to organise fresh bodies of workers, unless sufficient work can be given to them. I would suggest in this connection that I may be permitted to go to Simla to personally discuss this matter with Mr. Silver to obtain from him some definite orders which the weavers of Bengal would welcome, and if they are sufficiently large more weavers' societies could be organised in other districts.

6. In addition to the above, I have been carrying out experiments in the spinning and weaving of Sunn hemp. As regards the spinning of Sunn hemp, some 30 to 40 samples have been hand-spun and mill-spun for Mr. Finlow, and judging from his letters, he seems to be quite well satisfied with the results. Some of the Sunn hemp yarns which was specially prepared from Jubbulpore Sunn hemp fibre and which was extracted without retting, has been found to be a good substitute for flax for the sewing of saddlery, harness and boots. I have conducted experiments at Serampore for the weaving of water proof Sunn hemp canvas with the same fibre, and I am pleased to say that the samples have been much approved of and there is a great demand for it at present. To cope with the demand, two hand loom

weaving factories have been started at Serampore. Experiments have also been conducted at the local Jute Mills for the spinning of Sunn hemp yarns, and I understand that one of these firms has already ordered out special machinery for the purpose. Hose pipes as well as filter cloths and beltings have also been manufactured with this fibre, and I think that at this period if some definite orders were placed with the firms referred to above, the prospects of further development seem certain.

7. Since last year a great demand for woollen cloths and blankets has also arisen, and I have been helping the local weavers of Bankura, Midnapore and Murshidabad to sell their goods more lucratively than before by encouraging some young men I know to go into the districts and to purchase woollen yarns and blankets from the wool workers and to supply them to buyers with whom I have brought them in contact. A woollen factory has also been started at Serampore by Mr. Borrie, who was an Engineer of one of Messrs. Bird & Co.'s Jute mills.

8. Besides the above, inquiries have been received by me from time to time for the manufacture of cotton canvas and Union cloths and I am constituting inquiries and having experiments carried out to ensure a regular supply of them. I have also received inquiries for the manufacture of brass and iron articles, and I have rendered the inquiries as much assistance as I could by bringing them into contact with the artisans who do this work in the villages.

9. As regards the duties I had to perform at the Munitions Board, I may state that I have been entrusted with the placing out of orders of all the textile materials, boots, hats, caps, uniforms, etc., required by the various local indenting bodies, and to inspect and pass the goods before they were despatched. I have also had to reply to numerous enquiries relating to hand spinning, weaving, and to advise the selection of suitable weaving machinery.

10. At my last interview with you, you asked me for an expression of my opinion relating to the more efficient promotion of local industries, and I think I am justified in making the following suggestions from the experience I have gained in these matters.

I am fully convinced that if the local industries of this province are to be improved, a separate department known as the Department of Industries should be created, and that it should have as its head a Director with at least three efficient assistants to deal with the primary industries of this province, namely:—

(*i*) An officer who has a good knowledge of hand and power weaving and its allied branches;

(*ii*) A chemist conversant with industrial chemistry and capable of conducting researches.

(*iii*) A Mechanical Engineer with a sound knowledge of mining.

11. Experience shows that industries cannot be promoted or the artisans efficiently taught unless they are in some way brought under control, and this can best be done by forming them into societies and unions. In this province the work has been entrusted to the Registrar of Co-operative Societies with the result that it has formed an impediment to the development of the local industries, for the simple reason that it has been put under dual control, that is to say, the organisation of the artisans into societies and the matter of financing them has been entrusted to the Registrar of Co-operative Credit Societies, while their industrial education rests with the Education Department. Consequently, it often becomes a difficult matter for officers in charge of the two departments to work in harmony with each other. In provinces where these conditions do not exist the promotion and improvement of industries is considerably an easier matter, as the officer

entrusted with the promotion of industries happens also to be the Registrar of Co-operative Credit Societies. In these circumstances I think that the Director of Industries suggested in my note should also be vested with the powers of a Registrar and may be known as an additional Registrar of Co-operative Industrial Societies.

By the Hon'ble Babu Akhil Chandra Datta:—

37.

Leasing of forests for the extraction of wood pulp, etc.

(*a*) What forests, if any, have the Government leased out for the extraction of wood-pulp and for other industrial purposes?

(*b*) Will the Government be pleased to mention the names of the lessees and the terms of their leases?

Answer by the Hon'ble Mr. McAlpin:—

"(*a*) (*i*) A lease of about 126 square miles in the Buxa Forest Division has been granted to Messrs. Davenport and Company of Calcutta, for the extraction of timber and the manufacture of tea-chests and three-ply wood.

(*ii*) A lease has been granted to one Mr. C. T. Grenon of Calcutta, for the extraction of leaves of "Hantal," bark of "Bhola" and "Dhani grass" from the Sundarbans Forests for paper-making.

(*b*) The terms of the lease granted to Messrs. Davenport and Company are contained in the agreement executed by them, a copy of which is laid on the library table.

The terms of the lease granted to Mr. Grenon are contained in Revenue Department letter No. 1611-T.R., dated 29th September, 1916 (addressed to the Conservator of Forests), a copy of which is also laid on the library table."

By the Hon'ble Babu Akhil Chandra Datta:—

38.

Scheme for the re-organisation of the Sericultural Department.

What is the scheme now under the consideration of the Government for the re-organisation of the Sericultural Department with the object of improving the silk industry?

Answer by the Hon'ble Mr. McAlpin:—

"Four years ago the Government of India appointed Mr. H. Maxwell-Lefroy to inquire into the conditions of the silk industry in India and to formulate recommendations for the revival of that industry. The recommendations made by Mr. Lefroy are now under the consideration of the Government of India in consultation with the Local Governments. No final scheme for the re-organisation of the Sericultural Department in this Presidency can be drawn up until orders are received on the proposals submitted by this Government in connection with Mr. Lefroy's report."

By the Hon'ble Babu Akhil Chandra Datta:—

39.

Development of Co-operative Societies with industrial objects.

Will the Government be pleased to state what steps, if any, have been taken for the development of Co-operative Societies with industrial objects?

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the Annual Report on the working of the Co-operative Societies in Bengal during the year 1918-19, in particular to paragraphs 1, 4, 27, 28, 40 and 41 thereof, and also to paragraph 7 of the Government Resolution thereon. A copy of the report, together with the Government Resolution, is laid on the library table."

Sir Henry Wheeler.

LEGISLATIVE BUSINESS.

LIST OF BUSINESS—ITEM No. 3.

THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.

The **Hon'ble Sir Henry Wheeler** presented the Report of the Select Committee on the Calcutta Cruelty to Animals Bill, 1919.

He said :—

"My Lord, I beg to present the Report of the Select Committee on the Calcutta Cruelty to Animals Bill, 1919.

As Hon'ble Members will see, the report is short and it is also unanimous. We received various interesting criticisms on the Bill, and I think we gave due consideration to all the important matters that were raised, even though the changes made have not been very extensive. I therefore only propose to mention one or two of the more conspicuous points.

It will be noticed that in reference to clause 3 we have departed from the usual practice of Select Committees, which is ordinarily to mention what the Committee has done and not what it has not done. But as there appeared to be some amount of misapprehension as to whether the term "animal" did or did not include a bird, unless a bird was specifically mentioned, we have given our own reasons and our authority for not including the word "bird," as being not only unnecessary but even to some extent possibly risky, as leading to doubts as to the meaning of the word "animal" alone in other Acts.

Another noticeable change is intended to meet a certain amount of criticism that was received with reference to clause 6 and the somewhat analogous clause 11. Various people seemed to think that, while it was not unreasonable to impose a further liability for cruelty of different descriptions on the owner, trader, carrier, contractor, etc., yet it was rather hard to say that a person of that status might be sent to jail for an act of cruelty which might have been committed in his absence and without his knowledge. We have therefore modified the permissible punishment, and have also added a special protection which we took out of the English Act. As the clause is now worded I do not think any owner, etc., who exercises reasonable care has anything to fear.

We have not given a similar protection in the case of clause 7, because we thought that it was up to any one who owns or controls animals to take care that such a disgusting practice as *phuka* does not occur in relation to them. In recognition of a certain amount of opinion to that effect, we have, however, enhanced the punishment awardable under clause 7.

We have made a change in connection with the seizing of loads and the sending of animals to infirmaries in order to meet the view which was expressed in several quarters that it was reasonable that the owner should get a written notice that his load had been seized or his animal sent to an infirmary in order that he could make arrangements for their removal, etc. We have made provision to that effect partly by taking a rule-making power under clause 20, and in clause 23 by making a substantive change in the Bill.

The only other change of importance is perhaps that referred to in clause 26. When I introduced the Bill I foreshadowed the possibility that objection might be raised to the killing of bulls, bullocks and cows for old age. Such an opinion was, in fact, expressed in various Hindu quarters, and we have shown regard to it by providing that no order for the destruction of a bull, bullock or cow shall be made merely because it is unfit for work by reason of old age, the idea being that, following the practice which commends itself to Hindu orthodoxy, the animal should be sent to a pinjrapole.

I think, Sir, that these are the most noticeable points among the changes which we have made in the Bill."

LIST OF BUSINESS—ITEM No. 4.

THE EASTERN FRONTIER RIFLES (BENGAL BATTALION) BILL, 1919.

The **Hon'ble Sir Henry Wheeler** moved that the Eastern Frontier Rifles (Bengal Battalion) Bill, 1919, be referred to a Select Committee consisting of the Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. Stephenson, the Hon'ble Mr. G. N. Roy, the Hon'ble Babu Siv Narayan Mukherji, the Hon'ble Maulvi Abul Kasem, the Hon'ble Mr. Ashraf Ali Khan Chaudhuri, the Hon'ble Babu Kishori Mohan Chaudhuri and the mover, with instructions to submit their report in time for its presentation in Council at the meeting in February next.

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 5.

RESOLUTIONS.

(*Under the rules for the discussion of matters of general public interest.*)

The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

This Council recommends to the Governor in Council that the proposal for abolishing the First Year Class of the Mayuamati Survey School be dropped and that the said class be retained permanently.

He said :—

"My Lord, what I am asking for is not the establishment of a new school but the retention of one of the two classes of the old existing school. That school was established in 1914 as an experimental measure for teaching land surveying and improvement of its method. The experiment was found successful and the school was established on a permanent basis in 1916, but recently it was rumoured that it is in contemplation to abolish the First Year Class of the School and thereupon a representation was made by the people for the retention of the class; and I understand the Government have been pleased to order that that class would not be abolished at least for another year. What I am praying for in this resolution is that the proposal might be dropped altogether. It is a very useful institution established in a very good place. The site is almost an ideal one for the purpose, situated as it is in a very healthy place, and the school is established on a residential basis and is a very useful institution. I would ask the Government to consider the following facts before any final decision is arrived at. One of the important considerations is that as a result of the abolition of the First Year Class the number of students will decrease by 50 per cent. but there will be no reduction in the cost even by 10 per cent. Then there is another aspect which is also an important one and that is that the present arrangements are of course meant to staff both the classes, and therefore the full capacity of the institution will not be fully utilised if the First Year Class is abolished. Therefore, my Lord, I hope that the proposal may be dropped"

The Maharajadhiraja Bahadur of Burdwan : Babu Akhil Chandra Datta.

The **Hon'ble the Maharajadhiraja Bahadur of Burdwan** said :—

"My Lord, I do not propose to take up the time of the Council for more than a very few minutes. The hon'ble mover of this resolution desires to maintain permanently the First Year Class at the Maynamati Survey School. I may say that it has not yet been finally decided to either abolish or to maintain permanently the First Year Class at the school. We have, for the present, issued orders for the continuance of the class up to September next. Meanwhile, it is proposed to reconsider the whole matter and to come to a decision as to whether this class should be maintained permanently or not, and it is quite clear therefore that the Government have no intention of closing the class until they have re-examined and reviewed the whole position. Moreover, this school being more or less under the Revenue Department, who directly deal with those who pass out of the survey class at Maynamati, that department will also have to consider the matter carefully conjointly with the Education Department. All I can say to the hon'ble mover of the present resolution is that whatever may be the decision arrived at, it will not be done in a hurry or without due consideration. But on the other hand, I cannot at the present moment hold out a definite promise regarding the continuance of this class. Government fully realise the importance of having such a class for the purpose of survey training in the Chittagong Division ; and I can assure the hon'ble gentleman once more that we shall examine the question in all its bearings in due course. I trust that in view of what I have said the hon'ble mover will not press for his resolution."

The **Hon'ble Babu Akhil Chandra Datta** said :—

"In view of the assurance that I have received from the Hon'ble the Maharajadhiraja Bahadur I do not feel justified in pressing the resolution. My only prayer is that, before any final decision is arrived at in favour of the abolition which, I hope, it will never be, the opinion of the public will be invited and considered. I therefore beg, my Lord, with your Excellency's permission, to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 6.

The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

This Council recommends to the Governor in Council that arrangements be made with a view to the payment of the monthly pensions of Government pensioners in the Presidency of Bengal by postal money-order, if they so desire, and that, if necessary, the sanction of the Government of India be obtained in that behalf.

He said :—

"This is a matter of convenience so far as pensions are concerned. We are aware of instances in which the pensioners find it a great hardship to receive their pensions under the existing rules. It sometimes happens that a man has to walk a long distance, or has to incur large expenditure in order to come to the head-quarters of the district, to receive his pension. Sometimes it happens that, for getting a pension of Rs. 10, a man has to spend two or three rupees. There are other disadvantages, but I need not take up the time of the Council over this small matter, for I have every reason to believe that this resolution may possibly find favour with the Government."

Sir Henry Wheeler.

The **Hon'ble Sir Henry Wheeler** said :—

"My Lord, this resolution seems to be the echo of one of a similar character that was moved in the Bombay Council on the 19th September last, and which Local Government then accepted in the sense that they stated that they would bring the method of payment by money-order to the notice of the Government of India as an experiment which was worth trying in the case of pensions up to Rs. 20.

The object of the suggestion, as the Hon'ble Babu Akhil Chandra Datta has said, is to do away with the inconvenience of people having to come, it may be, considerable distances to the offices of payment in order to receive small sums that are due to them as pensions, and it is undeniable that that inconvenience does exist. It is also true that in the majority of cases personal attendance is required. There are a few exceptions in which payment can be made on certificates of various kinds, but in most cases people are required to be present in person. If, as suggested, payment by postal money-order is inaugurated, it is obvious that instead of the pensioner going to receive his pension, the postal peon will come to him, and his convenience will thereby be served. There is, however, a certain amount of risk in that system both to the pensioner and to Government. The peon might not pay the pension to the correct person, though in that event we would probably very soon hear from the pensioner himself, and the fraud would be discovered. The Government again might be cheated by fraudulent representation that the pensioner was alive though he was really dead, and his pension might continue to be taken by somebody else until the deception happened to be found out. These are the risks, though it is possible they are not so great as might be apprehended, especially in the case of small pensions ; no system is entirely free from risk, and in the case of small pensions we should not stand to lose very much even though frauds occurred here and there. But it is relevant to note that this system of payment by postal money-order has been tried. It was tried in Bombay in the case of certain military pensioners, and it was tried on a large scale in the case of family allotments from non-combatants which were paid by postal money-order through the Dadar office. Two curious points were then brought to notice. In the first place there were many complaints of delay in payment. People complained that they were accustomed to get their pensions on the 1st or 2nd of every month, and when delays occurred under the new system they were put to inconvenience. On the other hand, there might be *bonâ fide* excuses on the part of the postal peons, by reason of inability to find the payee and the like. Another feature was that in the majority of cases advantage was not taken of this concession. This might have been for the reason already mentioned, but the fact remains that quite a number of people preferred to adhere to the old system and to draw their money in person. So it does not follow that this experiment would be a panacea for all evils.

There is another possibility which is worthy of consideration and which has been brought to our notice by the Accountant-General, Bengal. It is that we might, instead of sending money by postal peons under the money-order system, delegate at least a portion of this work of paying pensions to post-offices. Obviously, everywhere, for one Government treasury, there are half-a-dozen post offices, and instead of having to come long distances pensioners would then have shorter distances to travel. This possibility affects the Postal Department and they would have to be consulted. We do not know whether the postal authorities will be in favour of taking up what may prove to be an appreciable addition to their work.

While, therefore, willing to make inquiries, we would prefer that the resolution should be put into a more open form than that in which it has been drawn up, that is to say, that besides the proposal of payment by money-order the possibility of delegating part of the work to post offices should not be

Babu Akhil Chandra Datta

excluded. If the Hon'ble Member agrees to put the resolution in the following form, I shall be glad to accept it on behalf of Government :—

"This Council recommends to the Governor in Council that the possibility be examined of improving the present system of disbursing pensions, either by the introduction of a system of money-order payments, or in such other way as will ensure that the pensioners are not required to attend monthly at treasury offices in order to draw their pensions, unless they wish to do so."

The **Hon'ble Babu Akhil Chandra Datta** said :—

"I am quite prepared to accept the modified form."

The resolution was then put in the following amended form and agreed to :—

"This Council recommends to the Governor in Council that the possibility be examined of improving the present system of disbursing pensions, either by the introduction of a system of money-order payments, or in such other way as will ensure that the pensioners are not required to attend monthly at treasury offices in order to draw their pensions, unless they wish to do so."

LIST OF BUSINESS—ITEM No. 7.

The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the Assistant Surgeons in the Presidency.

He said :—

"My Lord, this is a question on which I do not feel justified in taking up the time of this Council in view of the answers that were given by the Government at the last meeting of the Council in answer to a question by the Hon'ble Rai Debender Chunder Ghose Bahadur. I find that the petitions of the Civil Assistant Surgeons asking for an improvement in their pay and prospects have been forwarded to the Government by the Surgeon-General with recommendations and are now under consideration. We also find from these answers that if there was any delay it was due to the recommendations of the Medical Services Committee. We have also received assurances that there is not likely to be much delay on the part of this Government in dealing with these petitions, so in view of all these it is hardly necessary for me to support my resolution with any lengthy observation. All that I am anxious to point out in this connection is this—that the members of this Service and the members of the Provincial Services, both Judicial and Executive, are men almost equally qualified, and if there is any conceivable reason for the remarkable difference of pay between the pay and prospects of Assistant Surgeons on the one hand and that of Deputy Magistrates and Munsifs on the other, the reason was that Civil Assistant Surgeons enjoy some private practice yielding some additional income to them. But, my Lord, it is now an admitted fact and Government have also recognised that the private practice of these officers has diminished very considerably owing to the increased number of private practitioners, equally qualified, now practising, and their income is now confined to the pay they receive from Government. This is a fact which should be taken into consideration in arriving at a final decision on the question of the pay and prospects of these Assistant Surgeons. In this connection I would like to explain my position by giving one concrete illustration. Let us suppose there are two boys reading for the B. A.

examination; both pass the examination, and it so happens that one is admitted to the Provincial Service on an initial pay of Rs. 250 while his equally qualified brother who has chosen the medical profession is admitted into the Medical College for a long and expensive course of five or six years. After passing the final medical examination when he obtains an appointment he is to begin on Rs. 100 only. That shows that the initial pay in the latter service is very unsatisfactory, but as I have already submitted before I would not like to labour this point because it is admitted by Government that their pay is insufficient, and Government have already moved in the matter. My resolution is a very elastic one; I do not ask for any particular increment, all that I ask is that steps should be taken to increase their pay and prospects and that the increment granted should be appreciable and substantial. That is all I need say in support of my resolution."

The **Hon'ble Sir Henry Wheeler** said :—

My Lord, Assistant Surgeons are a body of men who have never been backward in preferring their grievances, and the result is that in recent years a considerable amount of attention has been given to them, and their pay has been enhanced on more than one occasion. I do not, therefore, accept the picture of them as a ground-down and sweated body of men, and while it is quite proper that the State should pay for their services a fair living wage, it must also be remembered that with the yearly increase in the number of candidates, there is no difficulty in filling our appointments, and we could not afford to, nor would it be right that we should, pay more than the fair market rate. The arguments to which the Hon'ble Member has resorted of comparison with other services are further apt to be extremely misleading and dangerous. It sounds simple to say that a Deputy Magistrate or a Munsiff gets so much and therefore that the Assistant Surgeon should get so much as both are equally qualified; or that one brother should not be left to choose one career and then find himself worse off than the other brother who has chosen another; but the argument really carries little conviction. It is probably true of every family of brothers that one adopts one line of life and another chooses a different line, and when they reach a ripe old age they may find that one has succeeded to a greater extent than the other, but that is largely a matter of luck and temperament and is not the fault of Government, while supposed analogies between various careers may take us far afield.

As illustrating what I have said regarding the improvements that have been effected in the pay of Assistant Surgeons in recent years, I may mention that, to go no further back than 1898, we then approved of four grades of Rs. 100, 150, 200, 300, and for Assistant Surgeons promoted to Civil Surgeoncies Rs. 350—500. Again in 1912 we introduced a time-scale rising from Rs. 100 to 300, with 10 per cent. of the cadre in two selection grades of Rs. 325 and 350. Again in 1915 we raised the pay of the Assistant Surgeons promoted to Civil Surgeoncies to Rs. 400—600. So that there have been three instances of enhancements between 1898 and 1915. The Public Services Commission took up the same question, and recommended a slightly improved time-scale and a slight improvement in the pay of those promoted to Civil Surgeonships. The matter was again examined last cold weather by the Medical Services Committee, and on the basis of the recommendations of the Public Services Commission and of that Committee we have submitted proposals which are now before the Government of India, again improving in a fair degree the prospects of this Service. Therefore, at the present moment, while we accept the resolution as an indication that the Council may wish to endorse our action in recommending an enhancement, yet it must be clearly understood that we do not propose to do anything more than we have already done, and we shall merely await the orders of the Government of India on the proposals which have been submitted to them."

Babu Akhil Chandra Datta; Sir Henry Wheeler.

The **Hon'ble Babu Akhil Chandra Datta** said :—

"My Lord, this is a matter on which I should like to avoid any controversy in view of the assurance that we have received that the matter is under the consideration of Government. I would like to say something in reply to some of the Hon'ble Member's observations with which I do not find myself in agreement but I refrain from doing so. I again repeat my prayer that the increments that are proposed may be appreciable and not merely nominal."

The resolution was then put and agreed to.

LIST OF BUSINESS—ITEM No. 8.

The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the compounders attached to Government hospitals and dispensaries in the Presidency.

He said :—

"My Lord, since giving notice of this resolution I understand that orders have already been passed granting some increments to the compounders ; in some cases it is from Rs. 20 to 30 with an annual increment of Re. 1 and in others the maximum has been raised to Rs. 35. In view of this fact all I would like to do is to express the gratitude of the compounders and of the public to the Government for this act of mercy."

The **Hon'ble Sir Henry Wheeler** said :—

"My Lord, it is true that at the time when notice was first given of this resolution we had before us proposals from the Surgeon-General for raising the pay of compounders. I held them up in the expectation that the resolution would be moved on the occasion of our last meeting, but as it was then postponed, I did not think it was fair that the compounders should suffer owing to the absence of the Hon'ble Member, and accordingly sanctioned the enhancement. There is little reason, therefore, for moving a resolution on the subject now."

The motion was then, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned to Tuesday the 3rd February 1920 at 11 A.M. at Government House, Calcutta.

J. F. GRAHAM.

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.

CALCUTTA ;
The 23rd December, 1919.